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THE ORIGIN OF THE ENGLISH CONSTITUTION. II.

CLAUSE 61 of Magna Carta comes nearer to putting into words the principles on which the barons acted, and on which the whole Charter rested, the principles which I stated in my first article, than any other portion of the document. But clause 61 is found only in the Charter of 1215. It was dropped from all reissues after the death of John and was never afterwards restored in any form. Again, it has been recently asserted of the Charter as a whole by an acute critic of English law and history<sup>1</sup> that, from its reactionary character and its consecration of the past, it proved "a positive stumbling block in the path of progress". He declares that this fact began to be perceived in the reign of Henry III.; that it was then seen that the Charter was not enough; and that the barons at the Parliament of Oxford in 1258 attempted an entire break with the past. If the origin of the English constitution is to be ascribed to the introduction into history as an active influence, of the principles which were most nearly formulated in clause 61, both these objections must be met.

Far too much has been made of the dropping of clauses from Magna Carta. Clauses 12 and 14 are usually thought of in that connection, perhaps because the historical importance of clause 61 has not been fully recognized, but the case is the same for all three. A little reflection ought to make it clear that, in all that was really important, the omission of these clauses made no difference either in the law as it stood, or in the fact that the king was bound to obey it in the particulars which they stated.<sup>2</sup> With the exception

<sup>1</sup> Professor Edward Jenks in an article entitled "The Myth of Magna Carta" in *The Independent Review* (1904), IV, 260-273.

<sup>2</sup> The board of twenty-five barons and its method of operation of course disappeared, but as far as the future is concerned this clumsy piece of machinery was not the essential point in cl. 61. From cl. 14 there may possibly have disap-

of some minor details, which concern chiefly questions of method, the provisions of these clauses were all drawn from the feudal law; their existence there the king could not deny; and he was just as much bound to regard them before June, 1215, and after November, 1216, as during the time when they formed a part of the Charter. The Charter was not drawn up to make these provisions law. The crisis had not arisen because the law was inadequate. The whole movement against the king proceeded on quite a different theory. The Charter seemed necessary because the king persisted in violating the law and could not easily be restrained. Its main purpose was to state the points which the king had violated, not in order to make them legal, or binding on him, but to secure from that particular king, because of what he had done in the past, a clear and formal acknowledgment of their legal and binding character and then to get his agreement to machinery for enforcing them in the future.<sup>3</sup> If John had had even as much regard for the law as had William I. in his time, the Charter would have been unnecessary, but the law which it states on these points would have been in force very much as the barons wished it to be.

This then is to be said with regard to the omission of clause 61. It appeared some new points of detail, if they were new, but I think rather that all its provisions remained in force. Cl. 14 is interesting in some minor points, but it was from the beginning an unnecessary addition to the Articles of the Barons and quite without importance, as I shall try to show elsewhere. In cl. 12 the barons seem to have been led by a difficulty of formulation into a demand in regard to scutage which custom did not warrant, and this was given up, but what they were trying to say was not given up, nor anything else in the clause. The idea that the *curia regis*, described in cl. 14, might be made the basis of constitutional machinery to enforce the Charter, was wholly beyond the political horizon of the barons in 1215. The idea "constitutional" was an outgrowth of the fundamental law, binding the executive, then beginning its slow formation, and it would be impossible until there should be a considerable experience of enforcing that law against the king; it needed an equally slow transformation of the *curia regis* into the later Parliament, changing its relation to the other elements of the case, community and king, before it could be looked upon as the natural guardian of the fundamental law against royal encroachment. It would be the natural thought of the barons in 1215 that something new was required to meet the special need. This is what they sought to get in cl. 61, and cl. 61 was in harmony with the age and all that was possible to it. That it should be omitted in the reissue of 1216 was inevitable. However true it might be that the principle on which it rested was within the right of the barons, the method it enacted was revolutionary. No government could issue such a clause as a part of the law which it proposed to recognize without confessing its habitual disregard of its own duties and of the rights of others. Moreover, if the government could be trusted to administer affairs in harmony with the Charter, cl. 61 was unnecessary. The commission of twenty-five would have no work to do.

<sup>3</sup> Of course I do not deny that there was some new legislation in the Charter, and some definition of doubtful points as the barons wished them defined, but these were incidental and of secondary importance.



from the Charter: the fact did away with the committee of twenty-five, but did not affect the underlying legal principle on which the clause rested. In truth, the fate of this principle, and of all that was contained in the Charter of 1216, and of the whole body of law by which the king was bound, depended upon the character of the following age, whether the government should be conducted in harmony with the spirit of the Charter and its principles developed in natural and orderly growth; or by a strong king in a spirit hostile to these principles until they should become forgotten and obsolete; or by a weak king in a spirit neither consistently hostile nor friendly, in which case all growth would seem, more clearly than in the other cases, to be determined by the stronger currents of the age and the uncertain action of revolution. As a matter of fact, the impression made by the baronial revolt against John on the next generation seems to have been as decisive an influence in its history as anything in the language of the Charter itself, and it perpetuated not merely the Charter but all the circumstances and purposes of the insurrection.

When we turn to the second objection and consider the influence of the Charter as a definite body of law, and its relation to the next step forward—the Provisions of Oxford in 1258—we approach a more difficult question and one whose definitive answer requires a more minute examination of the reign of Henry III. than is possible here. It is, however, a most important question. It must be considered in some detail, and on its answer depends our understanding of the constitutional development through this critical age.

A fair regard for the law really describes the state of things for many years after the accession of Henry III. The Charter was reissued immediately on the death of John. It was reissued again after the withdrawal of Louis. So long as William Marshal lived, it is likely, on *a priori* grounds, that government would be carried on in harmony with the spirit as well as the letter of the Charter, and we know of nothing to the contrary. The first difficulty seems to have occurred in 1223, and the incident in a way strikes the keynote of the reign. According to the account of Roger of Wendover,<sup>4</sup> in January, in what seems to have been an adjourned meeting of the Christmas *curia regis*, the archbishop and others demanded the confirmation of the charters. What special reason there was for this demand at the time is not shown, but it would seem from other things that the financial difficulties of carrying on the government were beginning to be felt by those in authority.<sup>5</sup> They now

<sup>4</sup> Ed. Coxe, IV, 83.

<sup>5</sup> See the letter of Honorius III. to Pandulph of May 26, 1220, Shirley, *Royal Letters*, I, 535: "non sine causa miramur quod nunc carissimus in Christo filius

opposed the demand of the archbishop, and William Brewer, one of them, speaking probably for them and in the name of the king, declared that the grant of liberties, having been extorted by force, ought not to be observed. This excited the anger of the archbishop and he said: "William, if you love the king, you will not disturb the peace of the kingdom." Then the king seeing how greatly the archbishop was moved, declared that the oath which had been taken "to all those liberties" must be kept.

Henry III. at the time of this occurrence was in his sixteenth year. He was probably already beginning to take an interest in public affairs and very possibly had begun to show those personal characteristics which made the financial problems of his reign unnecessarily difficult. However this may be, this, his first recorded public act of his own, is strictly typical of his whole history. The confirmation of the Charter was demanded; those responsible for the government opposed the demand; their opposition was met by a threat of force; in fear of the consequences the king yielded. The tragedy of his father's reign made no more profound impression on the mind and policy of Charles II. than the insurrection and the Charter on the conduct of Henry III.<sup>6</sup> This fact has hardly been sufficiently noted among the influences which shaped the events of this reign. It is not strange that so impressionable a nature as Henry's should have received, in the especially impressionable years of boyhood, so deep a bent toward caution, or have acquired so great a dread of the power of revolted barons. Certain it is that never in his reign was he willing to carry resistance to pressure beyond a certain point, or to dare civil war, unless the odds in his favor were overwhelming. It is a special characteristic of the reign that, when the barons were united, the king yielded and what they demanded was done. It is in this sense that the incident of 1223 gives us the key-note of the reign. The only element which we cannot specify to make the case complete is the abuse which led

noster Henricus, rex Anglorum illustris, cum, ratione minoris aetatis, pauciora quam sui praedecessores expendat, tanta dicitur inopia laborare, quod vix, vel nunquam regali sufficit magnificentiae providere: quare gravis ipsi et tali regno potest imminere jactura." On May 18, 1219, Pandulph wrote to Ralph Neville to pay out none of the money coming into the exchequer, "cum, sicut bene novisti, dominus rex multis sit debitis oneratus", Shirley, I. 120. On the date of this letter see F. M. Powicke, *Engl. Hist. Rev.* (1908), XXIII, 229. Evidence of the king's poverty during the period might be multiplied. See especially the formal acknowledgment of a rather long list of debts due to Pandulph, February 18, 1221, *Pat. Rolls of Henry III.*, I. 283-284.

<sup>6</sup> Roger of Wendover (ed. Coxe), IV. 269; Matth. Par., V. 137, 339, 569; and the references in note 10.

to the demand for the Charter.<sup>7</sup> But these at least are typical: the demand was made; it was at first resisted; the pressure increased and developed into a threat of force; and the king yielded.

There was no confirmation in 1223, so far as we know. In 1225 the Charter was not merely confirmed; it was reissued, with only verbal changes from the reissue of 1217, unless the change in the preamble be thought more important, and in this form it became the Great Charter of English law. The case of that year is a simple one. The Great Council was asked for an extraordinary tax. The barons demanded a reissue of the Charter, as a condition of their consent, because the king had been declared of age and certain of the grants made in his name during the minority had been already annulled. The Charter does not seem to have been considered to be among the concessions affected by the minority, but it was evidently thought to be an important enough matter to justify this precaution.

<sup>7</sup>It would seem as if the financial necessities of the government were the most reasonable explanation of the efforts which were made during this period to call in, earlier than strict right allowed, the castles, domains and escheats, which had been allowed to remain in the hands of those to whom John had committed them, or which had been granted anew during the minority. On these and the efforts to recover them, see G. J. Turner, *Trans. Royal Hist. Soc.*, third series, I. 205-262. It was to aid in this process apparently that the pope was induced, in April of this year, to declare the king of age. The only reason which he gives for his act, which he seems to recognize as premature, is lest arrangements which had been intended for the king's benefit should become disadvantages. See Shirley, I. 430, and *cf.* Matth. Par., VI. 69. The point is even more clearly stated in the letter of May 26, 1220, Shirley, I. 535: "quidam eorum [the prelates] non quae regis, sed quae sua sunt illaudabili aviditate captantes, castra, maneria et villas et alia demania ejus improbe usurparunt et detinent usurpata, in evidentem ejusdem regis injuriam et jacturam, occasionem frivolam praetendendo, quod ea servare volunt usque ad plenam regis aetatem; ut sic ipsis, invito domino, rem contractantibus alienam, et in bonis regis debauchantibus, interim rex mendicet." Towards the end of the year 1223 the effort led to the most formidable insurrection which it excited, that of the Earl of Chester and his supporters. It is possible that the financial needs of the government may have led it to stretch the law in other directions, but this is mere conjecture. Magna Carta must anyway greatly have hampered the regency in the free expansion of the revenue which would have been possible, if the methods of John could have been continued. The omission of cl. 12 gave no freer hand. Cl. 44 of the Charter of 1217, with the interpretation which the men of the time would certainly give it under the influence of the original Charter and the insurrection, accomplished all that was intended by cl. 12. Next to the fundamental principle which the Charter transferred from feudalism to the modern constitution, its great service was to emphasize so profoundly the feudal principle of consent to extraordinary taxation that for three quarters of a century no one ventured to disregard it. But both Henry III. and Edward I., from their point of view, may be excused for not recognizing the beauties of this principle. Looked at in this way the Charter was certainly "reactionary"; it was a "stumbling block" in the way of the formation of the kind of constitution which would probably have come into existence without it.

It has been supposed that in 1227, when Henry in form took the government into his own hands, the Great Charter was annulled, and that, from this date to its next formal confirmation in 1237, it was not in force. The idea is however due to a misapprehension, as has been clearly shown by an analysis of the evidence of 1227, and as is perhaps shown also by what look like attempts on the part of the pope to annul the Charter between 1230 and 1237.<sup>8</sup> In form at least, the Charter was in force throughout the entire reign, binding alike on king, courts and barons.

With 1227 the troubles of the reign began and they were continuous and consistent in character, despite some variety of detail, for nearly forty years. They were due, as is well known, to the character of the king. But Henry was not intentionally a bad king. In moral conduct, except when his financial difficulties led him to acts of meanness, he was greatly superior to his father. He intended to rule well and he thought of himself as a good and wise sovereign. He was jealous of his power. He knew there was danger to it in the air, though he did not understand the form in which the danger threatened, and he was determined to keep it in exercise himself, and to preserve it whole. Nor was his chief deficiency weakness of will, as was perhaps the case with Stephen, the king with whom he is most nearly to be compared. A more serious defect, in the crisis through which he was called to carry the royal power, was his weakness of intellect. This is seen not so much in that he did not understand his own time. Many rulers fail there. Rather he could not see the meaning or tendency of single events. He was no judge of men. He did not know what to do in difficulties. His government was continually directed by others without his knowing it, and he never had a consistent policy for any length of time except under the influence of a stronger personality. Richard of Cornwall, who was an abler man, though no political genius, exercised at intervals a strong influence over the conduct of affairs, and it might have been fortunate for the English kingdom if he could have acquired permanent authority behind the throne.<sup>9</sup> He was not the type of man, however, toward whom

<sup>8</sup> See the careful study of what took place in 1227 by G. J. Turner, *Select Pleas of the Forest*, Selden Soc., XIII., p. xcix. As to the papal intention, a comparison of the bull of February 20, 1238, Rymer, *Foedera*, I. 234, with that of January 10, 1233, Shirley, I. 551, suggests at least that the Great Charter was among the grants intended to be revoked. See Bliss, *Calendar of Papal Documents*, I. 148 (June 21, 1235), and Matth. Par., III. 382, 368. Perhaps by his denial recorded on p. 368 the king may have meant that it was not intended to include Magna Carta, and see the third letter of the pope to the legate Otto, dated February 20, 1238, Bliss, I. 167, and also pp. 224, 225 (1246).

<sup>9</sup> See *Ann. Wykes*, p. 118; Matth. Par., III. 532; IV. 11; V. 73.

Henry inclined; it looks at times as if he felt some superiority in Richard and was jealous of him; at any rate during almost the whole of the reign the control of king and government was in the hands of inferior and more selfish men. It may be that Henry vaguely felt, as his father had clearly done, that his best support against his own baronage would be found in foreigners who should owe everything to him and who would naturally stand in opposition to the native aristocracy. Something could be said for such a policy if directed by a strong and able king, but in the case of Henry it meant the exploitation of England by successive sets of utterly selfish foreigners who lacked wisdom of their own to see the tendency of events, or properly to identify the king's cause with theirs. They did not hesitate to endanger England's interests in France for their own ends, and they had no defense to offer against a like abuse of the king's weakness by the pope.

Such a reign, guided by no strong will, or dominating policy, was opportunity. It was a period open to be shaped by whatever influences might prove strongest among the cross currents of the time, and whatever might be the outcome of the age, it would seem, in the absence of leadership, to be the natural end towards which all things had drifted.

Strong among the influences in such a period would be feelings due to experiences which lay not far in the background of the past. The king was not more conscious of the events in which his father's reign closed than were the barons.<sup>10</sup> In 1237 many must have been living who had gone through the time of struggle for the Charter. Of the twenty-five, at least four still survived. Of the twenty-seven named in the preamble, at least six.<sup>11</sup> Of these ten, six witnessed the confirmation in 1237. It would be very strange indeed if it were merely the Charter which men remembered, when it became necessary to demand of John's son the reform of abuses, and not also the general conditions which produced the Charter and of which it was to be the correction. When similar conditions returned, or what seemed to the actors in events similar conditions, it is natural that it was at first thought that a renewal of the Charter which had grown out of those conditions in the past would meet the case. It was only after some years that it was seen to be necessary to go further in the direction which the Charter had pointed out.

<sup>10</sup> Roger of Wendover (ed. Coxe), IV. 295; Matth. Par., V. 360, 729, 732.

<sup>11</sup> These were, of the twenty-five, John de Lacy, Richard de Percy, Roger de Montbegon and Richard de Montfichet; of the twenty-seven, the bishops of Winchester, Bath, and Worcester, William earl Warenne, Hubert de Burgh and Matthew FitzHerbert.

The reign then, looked at from this point of view, leads to two results, or series of results: First, confirmations of Magna Carta, and second, experiments at further control of the sovereign which culminate in the Provisions of Oxford and the Barons' War.

Confirmations of this sort begin with that of 1237. It must be understood that the reason and purpose of this confirmation was quite different from that of 1225. That was demanded and granted on general principles merely, to make sure that the Charter was in force and not affected by the disabilities of a minor grantor. This was for a specific purpose, to hold in check a king who had proved ready to lend himself to many abuses and difficult to restrain. Already, in 1233, Richard Marshal, in a spirit worthy of his inheritance, had thought himself driven to an appeal to arms, premature and almost useless, though the king was brought by other means to an appearance of reformation. It was a reformation, however, without a change of heart, and by 1237 the abuses complained of were as bad as ever and the character of Henry was somewhat better understood.<sup>12</sup> Advantage was taken of the king's necessities and his request for a new tax, to demand a confirmation of the Charter which was granted in a special charter and accompanied with a solemn renewal by Archbishop Edmund of Simon Langton's earlier excommunication of all who should offend against it.<sup>13</sup>

The demand for the Charter, however, was clearly, neither in 1237, nor at any later date in the reign, primarily a demand for its specific provisions. The abuses which were most bitterly complained of, Henry's dependence on foreigners, his neglect of his natural counsellors, a reckless squandering of money, were not directly aimed at in any of the clauses of Magna Carta. There is no evidence in this reign of any violation of its specific provisions which passes from the character of an individual grievance to constitute a danger to the baronage as a whole.<sup>14</sup> What was wanted

<sup>12</sup> The barons seem to have been easily persuaded, however, to accept the king's promises, as compared with later times, and Matthew Paris appears not to have been unconscious of the fact. See III. 383.

<sup>13</sup> The charter of confirmation is given in *Ann. Tewkes.*, p. 103; Stubbs, *Select Charters* (eighth edition), p. 365; and see *Matth. Par.*, IV. 186. On the excommunication, cf. *Matth. Par.*, III. 382; IV. 366; V. 360; *Epp. Grosseteste*, p. 231; *Ann. Wykes*, p. 83. Grosseteste, who certainly wrote very soon after the event, and who witnessed the *parvam cartam* of 1237, probably states accurately what occurred.

<sup>14</sup> It may be thought that the denial of trial by their peers to Richard Marshal and his supporters in 1233 approaches the point of danger. See *Matth. Par.*, III. 247, 251; *Bracton's Note Book*, case 857. Their case is, however, not wholly clear. See Vernon Harcourt, *His Grace the Steward*, pp. 276-280, with whom, however, I cannot entirely agree. It may be thought that the frequent complaints

was something different. It was to force the king to acknowledge that he was bound by certain obligations in his conduct of public affairs.<sup>15</sup>

It ought, I think, to be clear, if one reflects on the nature of the abuses, laid now and later to the king's charge, that a change was beginning which was the opening of a new era. All through the list the difference between Henry's case and John's is clear. Of wardship, marriage and the treatment of widows, it was not said that Henry was pushing royal rights beyond bounds to extort money to which he had no claim: it was said that he was using these rights to provide for foreign favorites at the expense of his own natural subjects. Of taxation it was not said that he was demanding illegal payments, but that sums, obtained properly according to the law, disappeared in a bottomless gulf without advantage to England. In matters that concern the courts, it is clear that the requirements of the Charter were in the main regarded, and complaints had shifted into a new field and affected the interests of the royal courts only indirectly. Of the miscellaneous provisions of the Charter the general fact is the same.<sup>16</sup> The really serious complaints do not con-

by ecclesiastics of the violation of liberties supposed to be secured the church indicate dangerous infringements of the Charter: but analysis of their complaints does not show this to be the case. On the other hand the statement in Pollock and Maitland, *History of English Law* (second edition), I, 179, must not be understood to mean more than it says. It is there said: "The pages of the chroniclers are full of complaints that the terms of the charter are not observed. These complaints, when they become specific, usually refer to the articles which gave to the churches the right to elect their prelates." No doubt that is true. But it would not be correct to infer that interest in the Charter as a practical matter was confined to ecclesiastics. It would be quite as accurate to say that it was confined to lawyers and law courts.

<sup>15</sup> This is true also of practically all the demands for the confirmation of Magna Carta after this date. They express not so much a desire that specific provisions of the Charter should be reaffirmed, though there is evidence in plenty that many of these were treated constantly as living law, as a desire to get the king's acknowledgment in general that he was bound by the law. They constitute a definite line along which the fundamental idea of the Charter was carried through the formative age of the constitution and they ceased only in the fifteenth century, when it had come to be no longer a matter of dispute that there was a certain body of law which bound the king, or in other words when something which may be fairly called, in almost a modern sense, the constitutional monarchy, had been established. These confirmations of the Charter were certainly no mere form and they were not necessary because "it failed to do its work" (Jenks, *l. c.*, p. 271). They were necessary because the kings were constantly devising new methods of escaping their obligations, and because there were constantly arising new interests and issues in which the king must be bound to serve the nation.

<sup>16</sup> See the Petition of the Barons of 1258, Stubbs, *Select Charters*, p. 382, for complaints of the violation of a number of the provisions of the Charter. It

cern them. In addition one thing of which the son is constantly accused was not alleged against the father at all—the neglect of his natural counsellors. It is a complaint typical of the transition, and involves in its brief statement cause and consequence of the crisis. It says: this king does not himself govern, the government is in the hands of his council which exercises his prerogatives for him and determines all that is done; his counsellors are now foreigners who have no regard for the interests of England or Englishmen but sacrifice both for their own selfish ends; foreigners have no right to hold such a position, the right belongs by nature to the baronage of England; if the king's natural counsellors were conducting the government, the abuses would cease and the interests of England and Englishmen would be conserved. There was no room for any such reasoning in the case of John. It would have been absurd to assert that anyone but himself was responsible for his tyranny, or to believe that a change of counsellors would bring it to an end. But this and not the violation of particular provisions of the law was the great difficulty with Henry.

The difference, however, was much deeper than a difference in personal character between father and son. It was the beginning of a difference between two ages of history, two eras of civilization. Translated into other terms this complaint meant: in the conduct of public affairs there is something which ought to be regarded besides the king, the king's interests and the king's friends; something which it is the plain duty of the king and his counsellors to regard. Over against the king's interests, stand the interests of the land and of those who have a stake in its prosperity, as something which may be different, something which the king may be tempted to sacrifice for what he selfishly desires. It is not possible to say "the nation" yet, as the modern man uses the term, but this is the idea and the fact which was really coming to birth. Such a conception was foreign to the feudal age, but feudalism, in its constitutional aspects, in the conception of the state logically involved in it, was rapidly coming to an end. The old ways of doing things, judicial, legislative, financial, military, were all giving way before the new. The emphasis which daily life placed on its own details was also changing. To the barons of 1215 the writ *Præcipe* and what it stood for seemed a vital matter. Before the close of Henry's reign, their descendants had come to care little about it, and indeed were letting slip from their hands with seeming indifference the is evident, however, that these complaints played a very small part in producing the revolution. The real abuses which moved the barons to action were the newer ones, and it was at these that the Provisions of Oxford were aimed.



really essential elements of all private jurisdiction which were feudal proper in character, and not financial or manorial merely. Men were of course unconscious of any change. They could not have put into words in 1237 the ideas which were struggling for expression in the things they were doing. Nor could they even in 1264. When they tried they fell back upon the formulae of ancient speculation, or upon notions embodied in the feudalism they were destroying.<sup>17</sup> None the less they were really giving first and faint expression in their acts to modern conceptions of the balanced rights and obligations of government and nation which seem to us the common-places of politics.

If it had been possible for them to formulate their ideas clearly, they would not have been satisfied in the crises of 1237 to demand merely the confirmation of the Charter of 1225. There would have been added a more definite statement of the king's obligation to be bound in his conduct by the interests of the community. Their experience did not yet reach to such a conclusion. For us, however, as students of history, it is indispensable to understand that it was in its specific provisions only that Magna Carta did not apply. In the great principle on which it rested, its application to the crisis was perfect. There was in it a recognized body of right which the king was bound to respect. This law had for its object to protect the interests of the ruled against the selfishness and tyranny of the ruler. If the ruler could not otherwise be brought to observe it, force was a legal recourse and the temporary suspension of the king from ruling. All this was legitimately involved in Magna Carta, even as reissued in 1225. To the men of 1237, Magna Carta would stand out from all the past as the legal document giving most clear expression to this principle. This it was, vaguely realized, which was sought in it. It bound the king morally and legally and with all the sanctions of religion, in principle to conduct the government in the interest of his subjects. If he would do this, if he would be true to the spirit as well as to the letter of the Charter,

<sup>17</sup> See the arguments of the *Song of Lewes*. In saying that in 1215 the community established a right to compel the king to regard the law, I do not mean such basis of right as the *Song of Lewes* sought to formulate. Such abstract forms of justification will necessarily vary from age to age under the influence of men's changing philosophical predispositions. What had been established was a practical right, the right of precedent; men felt themselves authorized by what had happened in the past to do something of the kind which the present seemed to require, though no doubt from time to time contemporary philosophical ideas strengthened men's opinions and gave them confidence. Nor was the specific legal principle on which the barons acted in 1215 more permanent than the feudal rights which they sought to protect in the Charter, and which form the first content of the law which the king is bound to observe.

the troubles of the kingdom would cease. Not understanding the nature of their demand, they did not perceive that they were taking the first step towards adding to the formal requirements of the Charter a new and broader one, that the government must be managed in the interests of the governed. I think they were entirely right in feeling that this was properly implied in Magna Carta, but when the time came that the character of this requirement could be understood, a whole age had passed away, and a new civilization had possession of the world.

The confirmation of the Charter did not mend matters. Some part of what the barons called abuses was inevitable. There would have been complaint of the expenses of government under the most economical of kings. But Henry had no mind to any sort of reform. He no more understood the situation than did the barons, and he firmly believed that he was quite within his rights in choosing as counsellors whom he pleased, as indeed he was according to the letter of the law.<sup>18</sup> Within a few years the barons began to perceive that Magna Carta was insufficient. It did not enforce itself.

In saying that in the reign of Henry III. it was "seen that the Charter was not enough", Professor Jenks is quite right.<sup>19</sup> But it does not follow that in consequence the barons were led to attempt "an entire break with the past". That is to overlook the fact that in the reign of Henry III. exactly the same problem arose as in the reign of John. It was not the problem of getting the king to acknowledge the existence of a body of law which he was bound to observe. Both kings did that, Henry repeatedly. It was the problem of how to compel the king to keep the law when he persistently refused to do so.<sup>20</sup> This problem the barons of the middle of the century met as it had been met a generation earlier. They attempted no break with the past. In the next case to be noted, in 1244, as in 1258, they copied its model and built on the lines it had established, and, though the particular thing they sought to do was slightly different, and their machinery was more developed, their

<sup>18</sup> The peculiar glory of the English constitution is indicated in saying that precisely the same thing is true of King Edward VII. today, but that he does not exercise the right.

<sup>19</sup> But the same thing could be said of the Charter of 1215. It would not have enforced itself. The principle that the king is bound by a definite body of law would never have led to anything without the established practice of coercion.

<sup>20</sup> "Erat videre dolorem in populo, quia nesciebant prelati vel magnates quonodo suum Prothea, scilicet regem, tenerent, etiamsi omnia haec concederet, quia in omnibus metas transgreditur veritatis", Matth. Par., V. 494 (1255). The statement is repeated in the account of the May meeting of 1258 as explanation of the adjournment till June, with the addition of the phrase "quia arduum fuerat negotium et difficile", *ibid.*, V. 689.

purpose was identical, the suspension of the king from office in certain particulars for the protection of the community. This purpose was a little more clearly perceived; it was a little more widely applied; and the machinery by which it was to be carried out had been somewhat improved.<sup>21</sup> But they found their starting point in clause 61 and they made no change which touched essentially principle or method, no change so vital that the experience of the intervening time may not easily account for it as a natural growth. Nor should it be forgotten that one of the twenty-five appointed under that clause was one of the commission of twelve chosen in 1244 to put into form the virtual suspension of the king.<sup>22</sup> We do not know that this arrangement, which has been called a paper constitution, ever actually went into force, the king refused to accept it, but in 1258 a real constitution was formed, more or less completely in operation for many months.

Looked at as a work of the thirteenth century, the Provisions of Oxford are a great improvement on clause 61 of Magna Carta, both in the object to be accomplished and in the machinery for doing it. Such advance in purpose and character was forced on the barons by the situation. What they had to do now was not to provide for the correcting of a number of specific abuses, of a generally uniform character, which might be done by assuming a single prerogative of the king's, as in the court created by clause 61. They needed rather to provide for the whole government, to take it out of the hands of an incompetent king, who could not be reformed, and conduct it in the interests of England. A purpose so much larger compelled machinery on a larger scale and of a broader scope. But it was the same in type. Clause 61 provided for the exercise by the court of twenty-five of one of the most important of the king's

<sup>21</sup> The improvement of machinery in the proposed arrangement of 1244, as compared with that of 1215, consists in the fact that the commission of the barons was not to take into its own hands a function of the king's for exercise in special cases, but that it was to appoint the great officers of the crown who were to exercise royal powers, and so provide for a more complete suspension of the king. While this arrangement is entirely in line with that of 1215, the exact suggestion of the appointment of the officers probably came from another source, perhaps from expedients of the minority, perhaps from the abuse of the great seal complained of by the barons. In stating the relationship between the experiments of 1244 and 1258, I am following what may be called the orthodox opinion. See Stubbs, *Const. Hist.* (1896), II. 64; and Tout, *Polit. Hist. of Engl.*, III. 66.

<sup>22</sup> Matth. Par., IV. 362-368. It is plain from the character of the last part of the document recorded by Matthew Paris that it is a memorandum merely, and from the reference to the *nova carta* at its beginning that it would finally have stood to the completed constitution which it was proposed to form in much the same relation as that of the Articles of the Barons to Magna Carta.

prerogatives, if he refused to use it himself to reform some definite abuse. It provided further, if this first step proved unavailing, for the temporary suspension of the king by moving war against him. To those of the barons who remained faithful to the Charter in the struggle which followed John's repudiation of it, it seemed necessary to remove him permanently and to put another sovereign in his place. This extreme step was never contemplated by the Charter. It was not quite in harmony with the spirit of the long process by which the constitution was made, or, if it cannot be denied that it was a logical inference from it, it was going to an extreme almost never called for. If we pass over the case of John, such a step proved really necessary but once, in 1688, and then not for the creation, but for the preservation, of the constitution.<sup>23</sup> In this particular the Provisions of Oxford were exactly in line with the intention of clause 61, with what it was hoped that clause would accomplish, but they show a great advance over it. Like the modern constitution, they would make civil war and the deposition of the sovereign impossible, if they were put fully into operation,<sup>24</sup> and the object of the machinery set up by clause 61 really was to make it possible to avoid an appeal to arms.

If one will compare carefully, as space does not here allow, in the object sought and in the intended details of operation when put into force, clause 61, the arrangement of 1244, and the Provisions of Oxford, I believe it will be found impossible to deny that they are all of one piece, all framed on one model, to solve essentially the same problem. They show only those changes which the passage

<sup>23</sup> Appeal to force was necessary in the case of Richard II. and of Charles I. But the earlier reign of Richard shows conclusively that the extreme step taken was not necessary against him, and the same thing is highly probable of Charles I. Edward II.'s deposition was not in reality a constitutional case at all, though it was necessary to try to make it seem so, and though it did serve as a precedent for later action in cases that were more truly in the line of constitutional development.

<sup>24</sup> No real similarity between the Provisions of Oxford and the present constitution must be supposed. The only historical connection between them is that the Provisions were one stage in the development, clarifying and enforcement of the idea that the king is bound by the law. The final constitution was built on no detail of the scheme. To say that the responsibility of the officers of the crown to the Great Council, which they established, foreshadows the ministerial responsibility of today, is to use language which is permissible rhetorically, but it is not the language of science. There is no line which runs from the earlier fact to the later. The two facts grew out of the independent conditions of two different civilizations. There was no Parliament to enforce the Provisions of Oxford, only the feudal *curia regis*; they could draw strength from no nation, only from a feudal class. One civilization was indeed beginning to give way to the other, but it was the old which still had possession of the field. In ultimate purpose the constitution of 1258 was premature; in process it was already almost obsolete.

of a generation, and the naturally changing situation required. The plan of 1244 is the intermediary, the connecting link, between Magna Carta and the Provisions of Oxford. It may be fairly called this because it stands out most prominently, and is the most complete proposal between these two so far as we know. It would perhaps be more accurate to say that there are evidences earlier that the plan of temporarily vesting in another the prerogatives, or a prerogative, of the king, as a means of holding him in check, had not been forgotten, and that between 1244 and 1258 there are numerous instances of the demand of some such scheme, or of the bringing of it forward as a suggestion or a threat.

By 1258 not merely had abuses, financial and other, grown to be intolerable, but circumstances favored decisive action as they had not before. In the first place Earl Richard, who might have stood between the monarchy and the complete carrying out of any revolutionary scheme, was out of the country. Again the great body of the higher baronage was united on one side, against the king and his foreign favorites, and had with it the strong support of the minor barons. Finally, perhaps alone sufficient to explain the result, the opposition to the king had found what it had lacked heretofore, adequate leadership. It is hardly possible to call Simon de Montfort a political genius. To me at least he seems to have mismanaged, almost grossly, what he had to do both in Gascony and in England. But he had certain qualities and elements of character peculiarly demanded in the leader of a revolution against established government. His most marked trait is the most necessary in such a leader, his immense power of will, his inflexible determination. Imperious his will was, overbearing his own judgment as well as all criticism and opposition of others, impolitic to a degree, but it was unhesitating and unyielding, it took no account of odds or danger, it saw the one result to be reached and neither heaven nor hell should block the way. To this must be added a strong sympathy with justice, vigor of action, more than the average of military skill, and, I think I am not wrong, the vaulting ambition of Macbeth. Perhaps it needed Simon de Montfort's personal grievances against the king to put him at the head of a revolution, but once there he threw into it the whole strength of a nature powerful and gifted, but not always wise, and possibly not always sincere.

It is not the place here to discuss the details of the Provisions of Oxford, nor, what stands more in need of discussion, the relation to them of the Provisions of Westminster. The scheme was an elaborate one. It sequestered the king entirely from the govern-

ment. All the operations of the state, financial, administrative, judicial, legislative, were to be carried on under a direct responsibility to the Great Council. A series of commissions and appointed officers, including a new king's council, was to conduct the government, and the Great Council vested its supervising authority in a committee, practically to be in continuous session. The king was not deposed. In form all prerogatives were still exercised by him, all writs and royal letters were issued in name by him, even when he was a helpless prisoner in the hands of the Earl of Leicester. The Provisions of Oxford set up machinery to take the government out of the hands of a king who persistently refused to administer it in the interests of the country, without the necessity of deposing him, or of bringing on civil war.<sup>25</sup> This was clause 61 of Magna Carta over again more broadly framed and more explicitly stated.

To recapitulate: the Provisions of Oxford find their origin in Magna Carta and rest directly upon it. They draw from it their underlying idea, the right to coerce the king; their form, commissions assuming prerogatives of the king and so far forth suspending him from office; and their general purpose, to secure the rights of the community against a king who persistently refused to regard them. They are connected with it by a continuous line both of confirmations of the Charter and of suggestions and experiments in the way of similar machinery.

But the Provisions show a great advance. They are more elaborate in machinery, wider in scope and logically more complete. But more important still it was much less their object to enforce specific rights of individuals which could be drawn up in an exact list than was that of the Charter. Their object was rather to enforce the general right of the community of the ruled to good government, administered by natural, as they said, that is, national officers. This is the great advance. This it is which makes the Provisions of Oxford the first and longest step in the transformation of the feudal principles of Magna Carta into the guiding principles of constitutional growth. The Provisions of Oxford do look towards the future more clearly than the Great Charter, but not because they are a break with the past, not because they are a new beginning, rather because they are building from foundation stones of the old on further into the walls of the final structure.

The Barons' War which followed was in principle the same as that which followed John's repudiation of the Charter. The *diffi-*

<sup>25</sup> War was threatened against those who should oppose themselves to the Provisions. See the king's writ in English. *Foedera*, I. 378; Stubbs, *Select Charters*, p. 396, and compare *Ann. Wykes*, p. 119, for the royalist view.

*datio* which the barons issued before beginning their campaign in 1263, with its *salva persona regis, regine, et liberorum suorum*, seems based on the text of clause 61.<sup>26</sup> Simon de Montfort's formulation of the right of insurrection, in the confirmation of the charters which were issued as one of the conditions of the release of Edward from his obligations as hostage for his father, in March, 1265, is of especial interest. The document is a peculiar one among confirmations.<sup>27</sup> It was made to suit the occasion in other ways than that which gives it its common name, but its documentary connection with Magna Carta is clear enough. In the end the barons were defeated and the Provisions overthrown, but they left as their legacy to the future the two principles on which Magna Carta rested, which might have perished without their renewed emphasis.

The reign of Edward I. saw no repetition of the experiment of 1258. Edward was a king against whom such an expedient was unnecessary, as it would have been impossible. The reign was occupied with the equally important effort to take the first steps in the constitution of Parliament. But in one particular the reign carried forward the line of development represented by the Provisions of Oxford. In 1297 Edward was forced, by means the same as those employed so many times against his father, to confirm Magna Carta, and to go a step further. The confirmation included what was really an addition to the Charter, in truth a restoration to it of clause 12 which had been dropped in 1216, so thought of and intended at the time,<sup>28</sup> and so treated in the future. It was more, however, than a restoration of clause 12. It was a restatement of it in such form as to include not merely the specific taxation of the feudal age, but so also as to affirm the broad principle of consent to all taxation, not resting on the basis of feudal property. It is clause 12, *i. e.*, the principle of the feudal law concerning extraordinary taxation, broadened out to cover, in intention at least, the new methods of taxation of the modern state. This enlargement of the law that binds the king, was the initial point of all the great increase of that law during the next century, and it was, as I have said, forced

<sup>26</sup> See *Lib. de Antt. Legg.*, p. 53.

<sup>27</sup> Stubbs, *Select Charters*, p. 416.

<sup>28</sup> The petition of the barons which preceded the confirmation bears in the chronicle of William of Hemingburgh (ed. Hamilton), II. 152, the title *Articuli inserti in Magna Carta*, and even if we cannot be sure that these are more than the words of this contemporary and generally accurate chronicler, they indicate to some extent the feeling about the effect of what was then done. The insertion of the main point of the petition about taxation in the formal confirmation which followed makes it distinctly an addition to the Charter, *i. e.*, to the body of law which the king must observe.

from the king in the same way that similar concessions were forced from Henry III. It belongs in other words not in the line of the Parliamentary development of the constitution as that is seen later, but in the line of the origin of the constitution as that ran through the thirteenth century. This line is continued by the Lords Ordainers in 1310, but the connection of their work with the Provisions of Oxford needs no emphasis here.<sup>29</sup>

It is to be said of all such schemes, however, that they are revolutionary when looked at from the point of view of the ordinary law,<sup>30</sup> the law as administered in the courts and found in the books of the law writers, so far at least as these do not touch upon questions of the constitution.<sup>31</sup> In this field the king was then, as he is today, above the law. He was not subject to its processes; he was not bound by its provisions. A Henry III. might be guilty of fraud or forgery with impunity. This is the ever present contradiction of English history, but it is also the secret of the making of that unique constitution, most anomalous and inconsistent, but perhaps on that account most adaptable, of all time. It was by the working together of these two contradictory principles, the king is above the law, the king is subject to the law, that a monarchy, retained in form, preserving all that is useful in a monarchy, was transformed into a self-governing republic, politically democratic.

GEORGE BURTON ADAMS.

<sup>29</sup> Stubbs, *Const. Hist.*, section 251; Tout, *Polit. Hist. of Engl.*, III, 244, 248.

<sup>30</sup> Louis IX. was quite right in his decision annulling the Provisions of Oxford by the Mise of Amiens, for this was the only point of view from which he could look at the question. He did not see the inconsistency of this part of his decision with that maintaining Magna Carta in force, as the barons appear to have done, or some of their supporters at least somewhat later. *Ann. Worc.*, p. 448; *Chron. de Bellis* (ed. Halliwell), p. 17.

<sup>31</sup> They nearly all do to some extent touch upon the constitution, and then this fundamental contradiction is apt to occur more or less plainly. In the case of Bracton, it has excited considerable discussion, but, except for its early date, it should occasion no more remark than in the case of Blackstone. See Maitland, *Bracton's Note Book*, I, 29-33. It should not be overlooked that the probably apocryphal passage in certain Bracton MSS., in which the right of the *curia* to hold in check the king is stated in the most extreme terms, is certainly of the thirteenth century, and probably earlier than 1290. The clearest statement of the principle that the king is bound by the law, in the great series of English constitutional documents, is in the Bill of Rights of 1689.



## THE RUSSIAN EXPANSION TOWARDS ASIA AND THE ARCTIC IN THE MIDDLE AGES (TO 1500)

ON any general view of European history, there are few more interesting and suggestive chapters than that which records the expansion of the Russian people—the geographical vanguard of European Christendom and civilization—towards the Arctic Ocean on one side, towards and across Northern Asia on another. Whatever criticisms may be passed upon the Russian race, it is certainly the pioneer of our Western world in these vast regions of the North and East. And nowhere in the Old World has the primitive Roman area of Christian civilization been so widened as in the lands, from the Dnyestr to the White Sea and from the Baltic to the Sea of Japan, which have been gradually penetrated, conquered and colonized by the Slavonic-Scandinavian *Russ*.

Scarcely any part of Russian history before Peter the Great has been adequately treated and properly understood by non-Russian historians. And where in this neglected field shall we find a more neglected plot than the record of Russian expansion in the Middle Ages? Something is generally known of the early conflicts of the *Ros* with the Byzantine Empire; of the conversion of these "tall, white, and crafty barbarians"<sup>1</sup> by the Eastern Church; and of the destruction of Russian independence by the Mongol Tartars. But has attention often been paid to the early stages of that racial movement which has carried the Russian blood, speech and faith over so wide an area? The primitive home-land of the Russian people did not include more than a fraction, lying almost wholly in the West-Central zone, of the present Russia-in-Europe. It was the political, mercantile and adventuring ambition of Russian states, traders and freebooters, which gave in time so noteworthy an extension to the Russian name—here representative, as one faces away from Europe, of European Christianity, society and organization. In this paper I will confine myself to the Russian movements towards and into those two Siberias—European and Asiatic—which lay north and northeast of the primitive *Russ*, and which gave to this great colonizing race the earliest opportunity for displaying its aptitude in the exploitation and absorption of distant lands.

<sup>1</sup> As they are described by early Muslim observers.

The first discovery and conquest of the North and East, to the Polar Ocean and the modern province of Tobolsk, seems to have been primarily the work of the leading Russian city of the North-West, that Old Novgorod on the Volkhov, which in position and importance, as the chief town of the Neva or Gulf of Finland basin, roughly answers in medieval history to St. Petersburg in modern.<sup>2</sup> Probably about the time of the First Crusade (1096) and certainly before the second (1147) the men of Novgorod had already come into touch with the country of the Lower Ob, just beyond the Ural Mountains. Long ere this, perhaps as early as the closing years of the tenth century (950-1000), the Novgorodian pioneers seem to have penetrated into Lapland and the upper valley of the Northern Dvina. The latter formed a waterway conducting either towards the White Sea or towards the Ural; and following the latter direction, probably along the course of the Vychegda, the Russians in the course of the eleventh century reached the Pechora, most distant of European rivers. By the head-streams of the Pechora one naturally ascended into the heart of the Northern Ural highland, and it seems reasonable to fix in one of the North Ural passes those Iron Gates which the Novgorod pioneers vainly attempted to force in 1032, suffering a disastrous repulse at the hands of the native Finnish tribes.<sup>3</sup>

The beginning of the next century shows us Novgorod in communication with the Asiatic lands immediately beyond the dividing range. Speaking of a year which apparently answers to A. D. 1112, the *Fundamental Chronicle*, usually known as Nestor's, tells how one Guryata Rogovich of Novgorod had sent his servant to the Pechora, how the Pechora folk then paid tribute to *Novgrad*, and how from the Pechora the messenger went on to *Yugra*. We may doubt the intelligence which Guryata received, from *Yugrian*<sup>4</sup> report, of the mysterious people enclosed in lofty mountains by a gulf of the sea, ever fruitlessly struggling to hew a way out of

<sup>2</sup> Mr. Robert Michell of Penzance, England, has for years been engaged upon a translation of the *Novgorodskaya Lyetopis* or *Chronicle of Novgorod*, mainly from the text published by the Russian Archaeographical Commission (St. Petersburg, 1888), which when published will be of great service to all English-speaking students of history, and perhaps to many other Western scholars.

<sup>3</sup> The Iron Gates of this Far North-East, not to be confused with the more famous Iron Gates of Derbent in the Far South-East (of the Caucasus), perhaps lay in the valley of the river Shchugor, in about 64° N. Lat., near Mt. Toll Pos Is, the highest summit of the Ural range. Spruner-Menke, *Hand-Atlas* (ed. of 1880), map no. 67, "Russland 966-1114", places these *Eiserne Pforten* in the valley of the Sysola, towards the easternmost part of the Dvina basin.

<sup>4</sup> For modern ethnographical language, we might perhaps translate *Yugrian* by *Ostyak*. See additional notes at the end of this article.

their rocky prison, and holding intercourse with other men only by a little opening through which they screeched their unknown lingo, thrust out an iron finger, and bartered furs for iron.<sup>5</sup> But there is no reason to doubt the plain historical statement which introduces this legend, or to see in Nestor's Yugra anything very different from the Yugra of later time—the region of the Northern Ural and the valley of the Lower Ob.

Now this Siberian connection, it must be noticed, is not a passing incident, like the early Russian dominion on the Azov or in the Crimea, or the early Russian raids towards and even beyond the Caucasus.<sup>6</sup> On the contrary, it appears fairly persistent throughout the central and later Middle Ages; and when in the fifteenth century the Novgorod sphere-of-influence in the North is finally torn away by Moscow, the Moscovite power, without loss of time, begins to interfere in Yugra, subjugating it far more thoroughly than before to its new Russian overlord.

For the greater part of the twelfth century, it is true, Novgorod history tells only of matters nearer home, though the tribute-gathering expedition of 1169 in the *Trans-Volok* (or regions beyond Byeloe Ozero)<sup>7</sup> may have been concerned with payments as far as Asia, and the foundation of Vyatka in 1174 carries Novgorod settlement far nearer to Siberia than before, along a more southerly track. But in 1187 we hear again of Yugra to some purpose; both here and in lands west of Ural the natives now rose and massacred their Russian masters or customers. The punitive expedition of 1193 failed to restore Novgorodian power; though one Yugrian town was taken, and another besieged, the whole Russian force was ultimately destroyed, save eighty men, who in 1194 made their way home to the Volkhov.<sup>8</sup>

How and when intercourse with Siberia was restored we are not told; but this restoration had evidently taken place by the middle of the thirteenth century, for in a celebrated agreement made in 1264 between the Novgorodians and their Prince Yaroslav, the

<sup>5</sup> *Chronicle of Nestor* (*Chronica Nestoris textum Russo-Slovenicum*), ed. Fr. Miklosich (Vienna, 1860), ch. 81. The title *perconachalnaya* or *fundamental* is often applied to this chronicle by old Russian writers.

<sup>6</sup> I leave for another time some brief consideration of this South-Eastern chapter of Russian expansion, hardly less curious and interesting than the North-Eastern, but of less continuous historical value.

<sup>7</sup> The *Za-Voloch*, *Trans-Volok*, or Country beyond the Portage, is a term constantly used to include all the Lower Dvina basin, but is generally understood as stopping short of the Mezen.

<sup>8</sup> *Novgorod Chronicle* (*Novgorodskaya Lyetopis*), ed. of the Russian Archaeographical Commission (St. Petersburg, 1888), A. M. 6695, 6701, 6702 (A. D. 1187, 1193, 1194).

Yugrian country, like the Pechora, appears reckoned among the domains (or at least in the sphere-of-interest) of Novgorod.<sup>9</sup> Sixty years later, in 1323 and 1329, the Novgorod Annals complain of outrages—robbery and murder—upon the citizens of the Republic on their way to Yugra.<sup>10</sup> These outrages were the work of Russian enemies from Ustyug in the Upper Dvina basin, planted conveniently upon the flank of the trade-route from Novgorod to the North-East, and thus a constant danger to the commerce in furs and precious metals which the great Hanseatic market carried on with the forests and mountains of its sub-Arctic sphere in both the European and the Asiatic Siberia. Again, the demand of Moscow, in 1332-1333, for tribute in silver for the lands beyond the Kama—the first sign of the coming Moscovite overlordship, advanced by the founder of the earliest Moscovite power, the bursar-prince Ivan Kalita<sup>11</sup>—clearly refers to the mining wealth which Novgorod had long exploited in the Northern Ural.

Lastly, in 1445, within a generation of the ruin both of the Novgorod empire and of the independence of the Republic, we hear of a last vigorous effort to assert Novgorodian rule in Siberia. Again the *Chronicle* tells of initial successes; two generals, we read, gathered a force in the Trans-Volok, attacked the Yugrians, and made many prisoners. Then, as before, victory ends in ruinous defeat. The natives, pretending to submit, drew together in force, fell suddenly upon the Russians, and stormed their chief fastness; only a part of the Novgorod army had the good fortune to get out of the country which they had so nearly mastered.<sup>12</sup>

In 1471-1478 Moscow crushed Novgorod and took over the Novgorodian empire. But even before this Moscovite forces had begun the conquest of that Yugrian Siberia with which Novgorod had dealt so long. A new Grand Prince had begun his reign in the White Stone City<sup>13</sup>—the "Re-uniter of Russian lands", the

<sup>9</sup> See Nicholas Karamzin, *History of the Russian Empire* (*Istoriya Gosudarstva Rossiiskago*), vol. IV., p. 50, in Einerling's ed. (St. Petersburg, 1842); vol. IV., p. 114, in St. Thomas and Jauffret's French version. This agreement stipulates that Prince Yaroslav Yaroslavich, successor (after Andrew Yaroslavich) of Alexander Nevsky in the Grand Principality, could not, himself, his wife, or any of his nobles or gentlemen, possess any villages in the domains of Novgorod such as Volok, Torjok, etc., or in Vologda, Zavolochie, Kola, Perm, Pechora, or Yugra.

<sup>10</sup> *Nov. Chron. (Novgorodsk. Lyetopis)*, ed. as quoted above, A. M. 6831, 6837 (A. D. 1323, 1329).

<sup>11</sup> *Nov. Chron.*, A. M. 6840 (A. D. 1332). Ivan Kalita was Grand Prince (*Velikii Knyaz*) of Moscow from 1328 to 1340.

<sup>12</sup> *Nov. Chron.*, A. M. 6953 (A. D. 1445).

<sup>13</sup> *Byelo-Kamennaya* (Moskva).

future conquerer of Novgorod and of the Tartars, the founder of the Moscow tsardom, Ivan III., the Great (1462-1505). The ubiquitous energy of this eastern Louis XI. made itself felt in the Urals and Asia, when, in 1465, at the very opening of his reign, Ustyug adventurers, his faithful vassals, raided Yugra and brought two Yugrian princes, with many other prisoners, to Moscow. Ivan received oaths of fidelity and promises of tribute from these "people of the Ob"; as the first Moscovite to assert dominion in Siberia, he shortly after took the style of Lord of Yugra.

In 1483, now master of Novgorod and victorious over the Golden Horde, he resumed his Asian conquests. His troops, crossing the Urals, descended by the Tavda river to its junction with the Tobol, the Tobol to its junction with the Irtysh, in that Siberian Khanate, far south of Yugra, which was not permanently subdued for another century; from where Tobolsk now stands they followed the Irtysh northward into Yugra, where it joined the Ob. The Yugrians submitted afresh; their southern neighbors the Voguls also became tributaries of Moscow; terms of peace were arranged by Philothei, bishop of Perm; and the Vogul prince Yumshan accompanied Philothei to the court of Ivan.

Yet a third expedition was undertaken by the same tsar, sixteen years later, to complete and extend the Moscovite empire in the North-East. In November and December of 1499 three of his generals, with 5000 men, after building a fortress on the Pechora, crossed the Ural on snow-shoes, in the face of a Siberian winter, and broke with fire and sword upon the Yugrians of the Lower Ob. The native princes, drawn in reindeer sledges, hurried to the invaders' camp to make their submission; the Russian leaders scoured the country in similar equipages, their soldiers following in dog-sledges. Forty townships or forts were captured; fifty princes and over 1000 other prisoners were taken; and Ivan's forces, returning to Moscow by the Easter of 1500, reported the entire and final conquest of Yugrians and Voguls.<sup>14</sup>

<sup>14</sup> On Ivan III.'s three Siberian expeditions of 1465, 1483 and 1499, see the *Chronicle of Great Ustyug* (*Lyetopis Veliko Ustyujskaya*) under these years, pp. 35-36, 41-42, 44-45, in ed. by A. K. Trapeznikov (Moscow, 1888); also Karamzin, *History of Russia*, vol. VI., pp. 176-178, in Einerling's ed. (St. Petersburg, 1842); in St. Thomas and Jauffret's version, vol. VI., pp. 355-359. The deliberate purpose of the new Moscovite departure in 1465 is clearly expressed by the Ustyug chronicler: "the Grand Prince . . . commanded Vasilii Skryaba to conquer the Yugorian land." In 1483, the same authority, while taking the Russian army along the Tavda, makes it pass Tyumen, which lies upon the Tura, quite out of this route, to the south, and credits it with the capture of thousands of prisoners in the Sibir Khanate proper (near Tobolsk). Both by its outward route and by its victories in this Tobolsk region the raid of

These are perhaps the most prominent features of Russian medieval intercourse with Siberia-in-Asia; we may add a few words on Novgorodian and Moscovite dealings with Siberia-in-Europe and other northern regions on this side Ural during the Middle Ages.

To the connections between Novgorod and the less remote provinces of its empire<sup>15</sup> there are abundant references. We have already noticed the expedition which the Republic sent out in 1169 to gather tribute in the Trans-Volok, the foundation of Vyatka in 1174, and the Moscovite demand for silver-payment for the Novgorodian lands beyond the Kama in 1332-1333. The Northern Dvina, the more valuable portion of the great province beyond the Volok, appears more definitely in 1337, when Ivan Kalita attacks it to enforce his Trans-Kama silver claims, but is "brought to shame there"; in 1340, when Novgorod warriors raid Ustyug; in 1342, when a riff-raff of adventurers, under the rebel Luka Valfromeyev, conquer the Dvina settlements and the whole of the Trans-Volok; in 1355-1359, when Ivan II. of Moscow corresponds with the Dvina governor and notables,<sup>16</sup> in 1366, when Novgorodians coming from the Dvina are seized by Moscovite forces; and in the struggle of 1393, when Moscow seizes Vologda and compels Novgorod, despite her capture of Ustyug, to submit to the ecclesiastical jurisdiction of the metropolitan.<sup>17</sup>

1483 anticipates the late sixteenth-century conquest of Siberia. Its progress was rapid: leaving Ustyug May 2, it returned October 1 (Intercession of the Virgin). The expedition of 1499 left the Pechora November 21, and followed (like the Novgorodians of earlier time and the adventurers of 1465?) a far northern route; its first objective beyond Ural was the township of Lyapin in Berezov district, near the Ob estuary. See additional notes at the end of this article.

<sup>15</sup> The Novgorod empire may be considered as divided into two chief parts, (1) the home-land or country of Novgorod settlement proper; (2) the regions of Novgorod trade-domination and political influence. In (1) were included, practically if not technically, a number of tributary cities, e. g., Ladoga, Izhorsk, Velikie Luki, Staraya Rusa, Torjok. This home-land had five traditional subdivisions (the Pyatini, or Fifths), viz., I. Vodskaya in the North; II. Shelonskaya in the West; III. Derevskaya in the South; IV. Obonejskaya in the North-East; V. Byejetskaya in the East. A somewhat similar five-fold division is often assumed in (2)—the empire of conquest and trade-supremacy—viz., I. the Trans-Volok or Zavoloche, including in its wider extension all the lands between the White Lake (Byeloe Ozero) and the Mezen, and comprising the Northern Dvina country; II. Ter, Tri or Tre, including Russian Lapland and much of the Novgorodian lands north of Onega and Karelia; part of this, the White Sea coast-land west of Dvina, is often called Pomoria or the seashore region; III. Permia, the Upper Kama basin; IV. Pechora; V. Yugra. Sometimes, it is worth noting, we find the Obonejskaya division of the home-land called Za-Onega, and considered as extending beyond Onega to the North-East.

<sup>16</sup> This correspondence gives perhaps the earliest mention of Kholmogori, see *Early Voyages and Travels to Russia*, etc. (London, Hakluyt Society, 1886), vol. I., p. 23.

<sup>17</sup> See the *Chronicle of Novgorod* (Nov. Lyet.), ed. of 1888 (as quoted above) under the years A. M. 6845, 6848, 6850, 6874, 6901 (A. D. 1337, 1340, 1342, 1366, 1393).

Ivan Kalita had first turned Moscovite policy towards the seizure of the Dvina basin; besides its proper wealth in furs and timber,<sup>18</sup> he aimed at winning for the Grand Principality an outlet to the ocean. Some sixty years after his death, his schemes are momentarily realized by his fourth successor, Vasilii Dmitrievich (1380-1425). In 1397 all the Dvina people are seduced from Novgorod allegiance, and kiss the cross in fealty to Moscow. The Grand Prince issues in 1398-1399 a series of ordinances for his new subjects which are of interest as the earliest Russian laws preserved since Yaroslav the Legislator in the eleventh century (1016-1054).<sup>19</sup> A fierce struggle now begins for the mastery of the North, resulting for the time in the defeat of Moscow over most of the field. In 1411 we find Novgorod ordering its governor in the Dvina country to operate against Norwegian raiders.<sup>20</sup> Yet in the next few years this Dvina country suffered much from freebooters on various sides. Vyatka marauders, allied with Novgorod outlaws, burnt Kholmogori in 1417 and captured several Novgorod notables; in 1419 returned the Northmen or *Murmani*, ravaging far and wide in the Trans-Volok, and sacking the Michael monastery on the site of the present city of Archangel.

Again in 1445 we hear of the Swedes making a descent on the same much-harassed Dvina-land, and being roughly handled and driven off.<sup>21</sup> Finally the overmastering power of Moscow, which in 1452 chased an enemy of Vasilii the Blind through the Dvina lands, and in 1458-1459 crushed the independence of Vyatka,

<sup>18</sup> It was also so rich in game of all sorts that before the Grand Princes of Moscow had seized this country, they sent their falconers thither every year by agreement with Novgorod; see Karamzin, *History of Russia* (ed. of 1842, as quoted above), vol. V., p. 93, and note 170; vol. V., p. 191 (St. Thomas and Jauffret).

<sup>19</sup> See the *Chronicle of Novgorod* under A. M. 6905 (A. D. 1397); Karamzin, *History of Russia*, vol. V., pp. 136-137 (ed. 1842); vol. V., pp. 279-282 (St. Thomas and Jauffret).

<sup>20</sup> In 1398 the Republic, with a force of about 3000 men, appears to have recovered most of its Dvina territories, storming Ustyug and inflicting heavy punishment (death, fines, etc.) upon its enemies and the Moscow merchants found in this region; in 1401 the Moscovite troops again overrun the whole Dvina country, but are checked in a fight at Kholmogori. Moscow, however, seems to have retained great part of the Vologda valley. In 1435 the Grand Prince agrees to relinquish the Novgorod lands on the Vologda and in other northern regions (Lamsk Volok, the Upper Bejets, etc.), but in 1436 the Novgorod Annals complain that Moscow does not perform this treaty. See the *Chronicle of Novgorod* (ed. 1888, as quoted above), A. M. 6906, 6909, 6919, 6943, 6944 (A. D. 1398, 1401, 1411, 1435, 1436).

<sup>21</sup> See the *Chronicle of Novgorod* (ed. 1888), A. M. 6925, 6927, 6953 (A. D. 1417, 1419, 1445).

achieved under Vasilii's successor, Ivan the Great, the complete destruction of Novgorodian power on the Dvina (1471).<sup>22</sup>

The progress of Russian influence in the regions of the Kama and Pechora is especially connected with the history of the Russian Church and its missions. About 1376 the monk Stephen, afterwards canonized as the apostle and bishop of Permia (Stephan Permskii), founded the earliest church in the Upper Kama valley. It was a daring venture, for a former missionary in this country, so Herberstein assures us, had been flayed by the natives, "while they were yet infants in the Faith".<sup>23</sup> Yet before his death in 1396 Stephen had not only confounded the heathen priests and sorcerers of the Kama, overthrown the idols of the *Voipel* and the *Golden Old Woman*, and stopped the sacrifice of reindeer, but also had secured the triumph of Christianity and prepared the way for Moscovite ascendancy in a region from which, two centuries later, started the Moscovite conquest of the Siberian Khanate. Under Stephen's successors Andrew, Isaac and Pitirim, the Russian Church took root in the Pechora country (1397-1445), just as it did on the White Sea during the same period, through the foundation of the most famous monastery of the Far North, in the island of Solovki or Solovetskii (1429).<sup>24</sup>

Last among these distant fields of early Russian expansion, we may briefly notice Lapland, the westernmost region of Siberia-in-Europe. Leaving out of account any alleged treaties of the tenth century or other evidence of Novgorodian power in this country before 1264, we have under this last date a clear and authentic reference to Kola as a possession of the Republic in that agreement between the citizens of Novgorod and Prince Yaroslav which has been already noticed for its inclusion of Yugra and the Pechora among the lands of Novgorodian influence.<sup>25</sup> Again, the peace

<sup>22</sup> See the *Chronicle of Novgorod* (ed. 1888), A. M. 6979 (A. D. 1471), also Karamzin, *History of Russia* (ed. 1842), vol. V., pp. 201, 206, and notes 356, 367; vol. V., pp. 414-415, 424-425 (St. Thomas and Jauffret).

<sup>23</sup> Sigismund von Herberstein, *Rerum Moscoviticarum Commentarii* (London, Hakluyt Society, 1851), vol. II., p. 46.

<sup>24</sup> See Karamzin, *History of Russia* (ed. 1842), vol. V., pp. 64-66, 209-210, and notes 125, 126, 137, 232, 377, 378; vol. V., pp. 132-136, 431-433 (St. Thomas and Jauffret). The Solovetskii monastery began with the hermitage of the monk Savvatii in 1429; after this Zosima, with the sanction of Archbishop Jonas of Novgorod and of the government of the Republic, founded the community and the Church of the Transfiguration, which became so celebrated. On the neighboring mainland Christian enterprise appears much earlier; the St. Michael monastery, the germ of Archangel city, was established in the twelfth century by Bishop Ivan of Novgorod (*Early Travels in Russia*, London, Hakluyt Society, 1886, vol. II., p. 190), quoting Dvina MS.

<sup>25</sup> See Karamzin, *History of Russia*, vol. IV., p. 50, and notes 115, 116 (ed. of orig. text, 1842); vol. IV., p. 114 (St. Thomas and Jauffret).



concluded, after a period of bitter hostility, between Novgorod and Sweden in 1323 fixed the Varanger Fiord as the boundary between the spheres of the two powers in Lapland. As in other regions, religious control is in time added to mercantile and political; like Stephen in the Kama, and Isaac, Andrew, or Pitirim in the Pechora, Iliya of Novgorod and Theodorite of Solovetskii appear as apostles both of faith and culture to Kola and the Lapps.

It may perhaps not be impertinent to recall how the medieval expansion of the Russian people Asia-wards and Pole-wards is led, not by an absolute monarch, followed by servants drilled into military obedience, but by a fickle, half-theocratic democracy, whose chief activity is commerce, and to whom the right of insurrection is sacred. We may also recall that the free life of Old Novgorod has left traces not only widely-scattered, but also deeply and lastingly implanted in North Russia. Thus the colony which these republicans planted in the well-stocked and beautiful woodland of far-away Vyatka in 1174—though no longer governed, as for the two hundred and seventy-eight years of its independent polity, by elected civil magistrates sharing power, in Novgorod fashion, with Church dignitaries—still keeps much of the manners and customs, the domestic architecture, the head-dress, and even the dialect, of the mother-city. On the other hand, when in the fifteenth century autocratic Moscow replaces its turbulent, liberty-loving, mob-governed rival in the empire of the North, it is clear that popular government has been tried and found wanting among the Eastern Slavs. If Novgorod had not fallen under the Moscovite tsar, she would probably have submitted to the King of Poland. Ivan the Great conquers her, in the name of Orthodoxy, to save her from *Latinism*. And it was unquestionably a more definite political incorporation, a membership in a far more perfectly unified state, which Moscow substitutes for the vague and fluctuating dominion, often no more than a commercial monopoly, of the Novgorodian merchants, throughout Pechora, Yugra and Lapland, if not also through most of Zavoloche and the Dvina country.

Once more, to understand the wide and startling movements of the Russian race, the influence of rivers must not be overlooked. The history of Russia, like that of French America, is river-history in a very special sense: the progress of her conquests in the North is usually progress from one part of a river-basin to another, from one fluvial system to another. The slight elevation of the northern plains puts few obstacles in the way of the inland navigator ascending or descending Dvina and Mezen, passing by easy portages from

Kama to Pechora, from Ladoga to Ural, even (in later time) from Ural to Pacific. Where main streams flow north and south, tributaries navigable for small craft, and often for vessels of considerable size, spread out east and west so as to form a serviceable, though at times circuitous, route for the voyager seeking his "place in the sun".

If the Ural hill-country were not in some places, despite its great breadth, so insignificant a range, the Novgorodian and early Moscovite connection with Siberia-in-Asia might be thought to offer yet another disproof of the fallacy that mountain chains form an absolute barrier between states and races. It is at least remarkable that some of the Slavonic invasions of Yugra (including that of 1499, which completed the subjection of this region to Ivan III.) should have been carried over the Russian Schwarzwald in its really savage and difficult northern portion, and in winter.

And, however little we may like to press the parallel between the trans-Uralian power of Novgorod, or of Moscow, and the penetration of Alpine or Indian mountain-walls by invaders of Italy or of Hindustan, we can hardly be wrong in emphasizing another point. The empire of Novgorod is above all a commercial dominion; the discoveries and conquests of her pioneers are primarily victories of a remarkable trade-expansion. The mercantile side of history has often been treated with contempt by the annalists of the drum and trumpet, even by the students of institutions. But has anything been more efficient in aiding human progress than trade-activity? What form of men's energy has done more to link together the most distant and diverse countries, to bring about the discovery of the earth, to promote truly useful knowledge, to "clear the mind of cant", to break down the obstacles of ignorance, fear and prejudice which once hemmed in mankind and separated its lands and races from one another?<sup>26</sup>

<sup>26</sup> Compare the transitory and imperfect glimpses of ancient and medieval China gained by the European world through political diplomacy, religious missions, or scientific interest, with the full and permanent knowledge which begins with the observations of Venetian merchants (the Polos).

*Additional Notes.* (a). On the Novgorod expedition of 1032 to the Iron Gates, see under A. D. 1032 in the *Chronicle of Nikon* (*Russkaya Lyetopis po Nikonovu Spisku*), Imperial Academy, St. Petersburg, 1767, vol. I., p. 132, "Uleb went to the Iron Gates from Novgorod: few of them returned, but many perished there."

(b). On the Yugrian expedition of 1193-1194 from Novgorod, see also the *Chronicle of Nikon* (*Russk. Lyet. p. Nikon. Spisk.*), A. D. 1193-1194, vol. II., pp. 259-260; and the *Sophia Chronicle* (*Sophiiskaya Lyetopis*) in the *Complete Collection of Russian Chronicles* (*Polnoe Sobranie Russkikh Lyetopisei*), issued by the Russian Archaeographical Commission, vol. V., pp. 169-170.

(c). On Ivan III.'s Siberian expeditions of 1465, 1483 and 1499, see also the

*Chronicle of Archangel* (Arkhangelogorodskaya Lyetopis), Moscow, 1781, pp. 141, 160-161; and Oksenov, *Political Relations of Moscow with Yugra-land* (in Russian, 1891).

(d). On St. Stephen of Perm, see also *Voskresenskaya Lyetopis* in the *Polnoe Sobranie Russk. Lyet.*, vol. VII., pp. 69-70; the *Life of St. Stephen* by Epiphani, monk of the St. Sergius monastery near Moscow, in *Monuments of Ancient Russian Literature* (Pamyatniki star. Russk. Lit.), vol. IV., p. 119; and Klyuchevskii, *Lives of the Saints as Historical Material* (Jitiya Svyatikh kak Istoricheskii Istochnik), p. 92, etc.

(e). On Bishop Isaac, see also Stroev, *Lists of Russian Hierarchs* (Spiski Ierarkhov).

(f). On the early history of Solovetskii Monastery, see also Klyuchevskii, *Lives of the Saints* (Jitiya, etc., as above), pp. 198-203.

(g). On the treaty of 1264, mentioning Kola, etc., see also *The Collection of Imperial Charters and Treaties* (Sobranie Gosudarstvenik Gramot i Dogovorov), I.

(h). On the treaty of 1323 between Novgorod and Sweden, see *Antiquité's Russes* (Copenhagen, 1850-1852), vol. II., pp. 490-491. *Antiq. Russes* (II, 492-493) also gives a treaty of June 3, 1325, between Novgorod and Sweden; an undated but very early determination of limits between Norway and Russia (II, 492-494); and an account of the Norse expedition of 1222 to Biarmaland (White Sea coasts and Lower Dvina) led by Andres Svialdarband and Ivar Utvik (II, 81-82, from *Saga of Hakon Hakonson*, §§ 81, 102).

C. RAYMOND BEAZLEY.

## THE POLITICS BEHIND BRADDOCK'S EXPEDITION

THE operations of Washington on the Monongahela ending in his capitulation at Great Meadows, July, 1754, convinced at least one party in English politics that the Newcastle administration either could not or would not settle so delicate a matter as the colonial situation by diplomacy. To understand the politics which lay behind the important question of sending regular troops to the support of the colonists, it will be necessary to trace briefly the rise of the Cumberland opposition to the Duke of Newcastle—an opposition which was both personal and political, and which came in time to represent a distinct difference in policy.

The origin of this opposition lay in the years immediately subsequent to the treaty of Aix-la-Chapelle, while Pelham was still First Lord of the Treasury, and none but Whigs guided the policies of the government. The Duke of Cumberland, the hero of Culloden, was not a member of the cabinet, but as commander-in-chief of the forces, he possessed considerable influence, as well as a large circle of personal friends,<sup>1</sup> including Lord Sandwich, the Duke of Bedford, and Henry Fox, the Secretary at War. During the peace negotiations of 1748 Newcastle, who was Secretary of State, had fallen out with Sandwich, England's representative at Aix-la-Chapelle.<sup>2</sup> Cumberland, who, unlike Fox,<sup>3</sup> had supported the duke in his recent war policy,<sup>4</sup> was desirous of promoting a reconciliation; but the duke proved not only obstinate but discourteous,<sup>5</sup> and, as Fox expressed it, "a breach ensued".<sup>6</sup>

<sup>1</sup> The social and political rendezvous was Windsor Lodge, where the duke lived with his unmarried sister, the Princess Amelia.

<sup>2</sup> The quarrel, broadly speaking, had been the result of a split in the cabinet on the question of whether or not the peace should be concluded without waiting for Austria's participation. Sandwich, annoyed by contradictory orders from Newcastle, deferred the execution of his final instructions, basing his conduct upon the knowledge that a majority of the cabinet was for peace, almost at any cost. On receiving a letter of censure from the duke, he answered by an apology; but cool relations continued between them. Coxé, *Pelham Administration*, II, 1-4; *Bedford Papers*, I, 584.

<sup>3</sup> Diary of Lord Marchmont, *Marchmont Papers* (ed. Rose), I, 231.

<sup>4</sup> As against the Peace Party in the cabinet led by Pelham. The general quarrel on the subject of peace or war had been directly responsible for the retirement, in succession, of Harrington and Chesterfield from the co-ordinate secretaryship of State.

<sup>5</sup> He seems to have written a discourteous letter to the Princess Amelia, and followed it by further affronts. Coxé, *Pelham Administration*, II, 110.

<sup>6</sup> *Ibid.*

Meanwhile serious disagreement arose between Newcastle and Bedford, the co-ordinate Secretary of State.<sup>7</sup> The latter had a grudge of his own against Newcastle by reason of an affront which he had received while First Lord of the Admiralty. Bedford had worked out a most elaborate scheme for expelling the French from the districts bordering on the St. Lawrence.<sup>8</sup> Preparations were actually begun for the expedition; but no encouragement could be enlisted from the powerful members of the cabinet, and despite the appeals of Bedford, the project was suffered to collapse.<sup>9</sup> Perhaps to conciliate the disappointed duke, it was decided to invite him to the office of Secretary of State, the supposition being that he would be content with the compliment and decline in favor of Sandwich, then a devotee of Newcastle's. But Bedford fooled his enemy and took the office himself.<sup>10</sup> This was in June, 1748.

For three years Newcastle and Bedford quarrelled almost ceaselessly. The senior secretary was jealous of his colleague's intimacy with Cumberland<sup>11</sup> and indignant that he was not always consulted in the business of Bedford's department. Yet Pelham was unwilling to consent to his dismissal<sup>12</sup> until Bedford made the mistake of opposing the administration in Parliament.<sup>13</sup> Meanwhile Fox coquetted with both parties, until his attack upon the Regency-Bill,<sup>14</sup> which Cumberland regarded as a personal slight,<sup>15</sup> awoke Pelham to the danger of the situation; and in June, 1751, both Bedford and Sandwich were forced to retire.

From the retirement of Bedford the leadership of the Cumberland faction<sup>16</sup> devolved upon Fox; and the period from this time until the death of Pelham in March, 1754, is marked by his steady

<sup>7</sup> A crisis was with difficulty averted in the spring of 1749. Walpole's *Correspondence* (ed. Toynbee), II, 365.

<sup>8</sup> *Bedford Papers*, I, 65-69.

<sup>9</sup> *Ibid.*, 199-200.

<sup>10</sup> Coxe, *Pelham Administration*, I, 390-391.

<sup>11</sup> *Ibid.*, II, 356.

<sup>12</sup> The correspondence of these years are full of complaints against Bedford and plans for his dismissal.

<sup>13</sup> On the Bill for Naturalizing Foreign Protestants. Fox opposed it for a time, but changed his tactics later. Walpole, *Memoirs of George II.*, I, 47-48, 53.

<sup>14</sup> Fox gained the approval of the king afterward, whose affection for the duke was the chief cause of the Secretary at War's favor in the Closet.

<sup>15</sup> He told Fox that it "marked him a bad man to posterity". Fox to Williams, December 15, 1751. Hanbury Papers in the Coxe Collection, Brit. Mus., Add. MSS., 9191.

<sup>16</sup> Notable among the members of the faction, besides Fox, Bedford and Sandwich, were Lord Gower, Sir Hanbury Williams, the Duke of Marlborough, and later the Duke of Devonshire and his son, the Marquis of Hartington.

rise in prominence.<sup>17</sup> Generally he remained loyal to Pelham, for he was too ambitious to become the latter's successor to follow Bedford into open opposition; yet his conduct was frequently a cause of anxiety,<sup>18</sup> and his violent assaults<sup>19</sup> upon the Hardwicke Marriage Act incurred the undying hatred of the Chancellor. Thus when Fox seemed on the point of winning the post left vacant by Pelham's death, the clever intriguing of Hardwicke<sup>20</sup> secured it for his friend, the Duke of Newcastle.

Having thwarted a man so prominent as Fox, the new First Lord felt compelled to offer him the secretaryship of State, but he failed to measure correctly the character of his opponent, and when the duke broke his word respecting the terms of the bargain,<sup>21</sup> Fox declined to impair his political value by unworthy subservience to a man he despised. Sir Thomas Robinson was then made Secretary of State and the ministry was reconstructed with a view of making Newcastle's power absolute in the cabinet. During the next month the duke was chiefly occupied with the election of a new Parliament, and neither at home nor abroad were dangers as yet manifest.

But neither Fox nor Pitt,<sup>22</sup> the Paymaster-General, was willing to forget his disappointments, and the Cumberland faction was tireless in its intrigues during the summer of 1754.<sup>23</sup> In August Cumberland gained the assistance of Pitt (through Fox's agency) in solving a relief for out-pensioners,<sup>24</sup> and the paymaster's interest in

<sup>17</sup> As clearly shown, for example, by Lord Hillsborough's conversation with Doddington. *Diary of Lord Melcombe*, November 27, 1752. "It is prodigious", said Hillsborough, "how many friends Fox has."

<sup>18</sup> See for example: *Diary of Lord Melcombe*, October 4, 1752, and March 7, 1754; Waldegrave, *Memoirs*, p. 24.

<sup>19</sup> Actuated chiefly by hatred of the Chancellor. It was scarcely a stroke of faction, although Hardwicke so regarded it.

<sup>20</sup> Interestingly shown in his letter to the Archbishop of Canterbury. Harris, *Life of Hardwicke*, II, 511-515.

<sup>21</sup> Fox was to have had the management of the Commons, a disposal of some of the offices, and full intelligence regarding the expenditure of secret-service money. Digby to Digby, March 14, 1754. MSS. of G. W. Digby, *Report of Royal Commission on Hist. MSS.*, VIII.

<sup>22</sup> Pitt had likewise been a candidate to succeed Pelham.

<sup>23</sup> Legge, Fox, and the Duke of Devonshire seem to have been chiefly concerned, but Fox was the centre of them. The letters in the Newcastle and Hardwicke collections (Brit. Mus., Add. MSS., 32735, 32736, 35414) during that season are full of plots and intrigues, exaggerated often, no doubt, by the duke's imagination. The most important fact to be noted in this connection was Devonshire's suggestion that Fox should be admitted to the cabinet (*ibid.*, 35414, f. 173); but just what was Fox's object is difficult to decide. We know that he half regretted his dignified attitude in March (when Newcastle broke his word), and it is possible that he was aiming for a cabinet seat plus the management of the Commons, with or without limitations.

<sup>24</sup> *Chatham Correspondence*, I, 110-111.

colonial affairs served to strengthen the alliance. In his management of the War Office Fox was energetic and painstaking. If he humored Newcastle's habit of overseeing all departments, he was nevertheless insistent upon resenting any unwarrantable encroachment; and a recent quarrel with Secretary Holdernessee over War Office business had resulted in a victory for Fox in the Closet.<sup>25</sup> It was only too evident where lay the danger to Newcastle's political power.

Such was the situation in politics when the news of Washington's capitulation forced the cabinet to embark upon a departure in policy. Neglect of the colonies by the home government had long been notorious; and little or nothing had been done in the way of settling the endless disputes<sup>26</sup> or preparing for a possible enforcement of British pretensions. Almost the only one, since Bedford's fall,<sup>27</sup> who realized the importance of the colonial problem, was the somewhat impetuous Lord Halifax, President of the Board of Trade; and it was probably at his instigation that a cabinet meeting had been finally called on June 13. The efforts of Governor Shirley to resist French encroachments on the Kennebec<sup>28</sup> were there discussed, and it was decided to send immediate directions for promoting a general plan of concert between the colonies.<sup>29</sup> Such a scheme had already been set on foot, resulting in the abortive Congress of Albany, and though the Board of Trade drafted a new plan in August,<sup>30</sup> nothing effectual resulted.

Of the cabinet meeting, which first discussed the proposal of sending strength to the colonies,<sup>31</sup> no evidence has, unfortunately,

<sup>25</sup> Fox claimed that he had not been consulted with regard to some army orders sent to the West Indies, and carried his complaint to the king, who supported his case. Brit. Mus., Add. MSS., 32736, ff. 336, 395.

<sup>26</sup> Chief reliance was placed in a boundary commission, which resulted in a deadlock.

<sup>27</sup> Bancroft (ed. 1884), II, 368, remarks, "No energetic system of colonial administration could be adopted without the aid of the friends of Bedford." Bedford's schemes for colonizing Nova Scotia are shown in a letter to Cumberland in *Bedford Papers*, I, 572-573.

<sup>28</sup> Shirley had written Secretary Holdernessee on the subject of his fears, but they do not seem to have been justified by his own investigations later. Palfrey, *History of New England*, V, 128.

<sup>29</sup> Members of the cabinet present: Granville, Hardwicke, Newcastle, Anson, and Secretaries Holdernessee and Robinson. Lord Halifax also attended the meeting. Minute, Newcastle House. Newcastle Papers, Brit. Mus., Add. MSS., 32995, f. 266.

<sup>30</sup> *New York Colonial Documents* (ed. O'Callaghan), VI, 903-906.

<sup>31</sup> Orders were issued September 30 for the regiments to be embarked at Cork (Fortescue, *History of the British Army*, II, 268). We may therefore presume that the meeting took place some time late in September. On the 29th Fox refers

come down to us. The problem was by no means a simple one: for the sending of an expedition by the home government would imply an official recognition of a struggle which was war in all but name. Nominally, of course, the measure would be for defensive purposes solely, but whether France would so regard it was at best a debatable question, and the diplomatic chaos surrounding England's relations with the great powers<sup>32</sup> enforced upon Newcastle a realization of the risk which such a step would entail.

It was perhaps inevitable that the prominent figures interested in the question should disagree on many points. Granville, the Lord President, had long felt that the colonists were strong enough without re-enforcement from England.<sup>33</sup> Newcastle doubted the truth of this,<sup>34</sup> but being in his infancy as a financier, he dreaded to consider anything which might entail great expenditure; and Hardwicke, while he acknowledged that the check on the Ohio had shown the helplessness of the colonists, was even more anxious than Newcastle on the subject of the expense, and warned him specifically against too extensive a campaign.<sup>35</sup> Granville's suggestion of putting the colonists in a position to help themselves—a policy which required the sending of officers, clothing, and money in plenty—was certain to demand more of Parliament than Newcastle had as yet dared to contemplate.<sup>36</sup>

But it soon became evident that the Duke of Cumberland would be the determining factor in the question; and that he and his following were resolved upon a vigorous policy. Late in September—probably as a result of a cabinet meeting—preparations were commenced for despatching two regiments on the Irish establishment, each to number 500 men, with 200 additional to be supplied by the colonists. Since, moreover, the two regiments in question were not up to their full quota of men, it was decided to draft a sufficient number from other regiments to replenish the ranks.<sup>37</sup>

to the raising of the colonial regiments in a letter to Newcastle (Brit. Mus., Add. MSS., 32736, f. 603), and on the 21st the calling of a prospective meeting is mentioned (*ibid.*, f. 554).

<sup>32</sup> On both Austria and Holland the English hold was precarious. Mr. Corbett (*England in the Seven Years War*, I, 23) gives an able summary of the diplomatic situation and its chief dangers. In event of a rupture with France, it was important that England should not appear the aggressor.

<sup>33</sup> Newcastle to Hardwicke, September 4, 1754. Brit. Mus., Add. MSS., 32736, f. 428.

<sup>34</sup> *Ibid.*

<sup>35</sup> *Ibid.*, ff. 436, 583.

<sup>36</sup> Torrens, *History of British Cabinets*, II, 192. On the other hand Newcastle was mortally afraid that his enemies would make party capital from the reverses on the Ohio (Brit. Mus., Add. MSS., 32736, f. 554). It was probably this fear which enjoined upon him the necessity of taking some active step.

<sup>37</sup> Winthrop Sargent, *History of Braddock's Expedition*, p. 134.



To this extent the cabinet was no doubt unanimous;<sup>38</sup> but it was further determined that two additional regiments should be raised in the colonies and commanded by Shirley<sup>39</sup> and Pepperrell for service in another part of the country, *the expense being borne by the king*.<sup>40</sup> This was in accordance with Granville's idea<sup>41</sup> and must have been accepted with considerable reluctance by the First Lord of the Treasury. Meanwhile the chief command of the two Irish regiments was given to General Edward Braddock, a friend and nominee of the Duke of Cumberland.<sup>42</sup>

But the question now arose—should the Shirley-Pepperrell contingent be fitted out at the same time as that of Braddock, or should preparations be postponed until some future time? Newcastle was strongly in favor of separating the two expeditions;<sup>43</sup> and Hardwicke as usual concurred, believing—besides his tendency to procrastination—that the English ambassador at Paris would have his hands full enough, explaining away Braddock's expedition to France's satisfaction, let alone any further demonstrations.<sup>44</sup>

Cumberland was, however, of a different mind. Besides detesting the First Lord personally, he despised his methods and his policy; and both he and his friend Fox were determined to push the two expeditions simultaneously.<sup>45</sup> On October 6 Fox sent Newcastle a full list of the requirements of the War Office,<sup>46</sup> and a similar notification appeared in the *Gazette* of that date. On the following day the energetic secretary appeared before the king and secured the royal signature to all orders he had framed, including warrants to raise the two colonial regiments as well as the appointment of a selected list of officers to be despatched for duty under Shirley's command.<sup>47</sup> The same day the Board of Ordnance held

<sup>38</sup> See above, note 36.

<sup>39</sup> Gov. Shirley to take the chief command.

<sup>40</sup> Sargent, p. 132.

<sup>41</sup> It seems to have been Granville, rather than Halifax (as Mr. Sargent assumes, p. 129), who chiefly advocated the policy of equipping the colonists rather than that of sending regular troops from England. Cumberland, who had no confidence in any but regular troops (Walpole, *Memoirs*, I, 390), was the champion of the alternative policy.

<sup>42</sup> Sargent, p. 131.

<sup>43</sup> Newcastle to Hardwicke, October 12, 1754. Brit. Mus., Add. MSS., 32737, f. 107. The duke was also worried by the proposed plan of an expedition against Crown Point.

<sup>44</sup> "Depend upon it", he writes, in opposing the idea of an extensive campaign, "there will be a good deal of difference . . . both in point of expense, and in respect of general consequences." Hardwicke to Newcastle, September 27, 1754. Brit. Mus., Add. MSS., 32736, f. 583.

<sup>45</sup> *Ibid.*, 32737, f. 107.

<sup>46</sup> *Ibid.*, f. 51.

<sup>47</sup> *Ibid.*, f. 63. Fox was evidently acting without authorization from the cabinet, as will shortly appear.

a meeting to consider expense, and perhaps to allay the parsimonious fears of the First Lord, Fox told the Secretary of the Treasury that everything in his office had been "considered in the most economical manner".<sup>48</sup>

Secretary Robinson was not a little disturbed by all this haste, and whereas he dared not obstruct Cumberland on his own initiative, he took the precaution of sending a special messenger to Newcastle with the news that the king had signed the warrants and that the Board of Ordnance would advertise for ships on the morrow.<sup>49</sup>

The perplexity of Newcastle can well be imagined. He had already found that Pitt and Anson, the First Lord of the Admiralty, favored the more expensive and recently adopted schemes of Granville;<sup>50</sup> and it now appeared that Cumberland and Fox were going further. Politically his danger was more acute than appeared on the surface.<sup>51</sup> It was only recently that Hardwicke had expressed his fear that Fox's intrigues would force them to make him sole leader of the Commons,<sup>52</sup> and "when that is attained", wrote the Chancellor to his friend, "there will be in my apprehension an end of your Grace's chief power as minister of this country."<sup>53</sup> Nor was Fox the only one of the faction involved in these intrigues. It was well known that the Duke of Marlborough was aiming to supplant Dorset<sup>54</sup> as Lord Lieutenant of Ireland, that an effort was being made to restore Bedford to office, and that Legge, the ever-provoking Chancellor of the Exchequer, was both working in Fox's interest and seeking a pension for the Earl of Sandwich.<sup>55</sup> Pitt's

<sup>48</sup> West to Newcastle, October 7, 1754. Brit. Mus., Add. MSS., 32737, f. 73.

<sup>49</sup> Robinson to Newcastle, October 7, 1754. Brit. Mus., Add. MSS., 32737, f. 61. The Chancellor later pointed to this advertisement for transports as the limit, in the matter of publicity, which should have been allowed. *Ibid.*, f. 147.

<sup>50</sup> Newcastle to Hardwicke, October 2, 1754. Brit. Mus., Add. MSS., 32737, f. 24. Pitt was not, of course, a member of the cabinet, but was sometimes consulted by the duke. He was in favor of both plans (the raising of colonial regiments and the sending of regular troops from England). It is interesting to note that he had also suggested the raising of Highlanders for service in America—a proposal which Cumberland rejected through fear of Jacobitism.

<sup>51</sup> Walpole gives an example of the duke's fear and jealousy of Cumberland. *Memoirs*, I, 382.

<sup>52</sup> This was the ostensible object of Legge's persistent intrigues. The creation of a minister in the Commons directly responsible to the king ("Legge's old idea", as it came to be called) is constantly discussed in the correspondence of this year. Naturally Newcastle preferred to have the management in the hands of Robinson, who would be duly subservient; but whom Fox and Legge were justified in believing incompetent. "Legge's idea" was destined, as we know, to become the basis of Pitt's political creed and that of his son.

<sup>53</sup> Brit. Mus., Add. MSS., 32736, f. 583.

<sup>54</sup> The Duke of Dorset had already proved his incompetence in the governing of Ireland.

<sup>55</sup> Brit. Mus., Add. MSS., 32736, ff. 583, 592.

hostility was not even veiled;<sup>56</sup> and the martial policy of Cumberland served to focus all the elements of resistance.

Meanwhile Fox was tireless in the pursuit of his programme. If his friend Bedford had felt the mortification of seeing an unvetoes project fade into oblivion in the office of a colleague, Fox determined that no office under his direction should wait for the beck and call of the shifty Newcastle. Not being a member of the cabinet, he was probably obliged to depend upon Granville to represent him there, but there was possibly some advantage to be derived from that very lack of participation in its transactions. For the present, the idea that Deputy-Commissary Pitcher should have his departure delayed for a quartermaster-general whose whereabouts was unknown,<sup>57</sup> evidently struck him as wholly unnecessary, and on October 8 he published an order in the *Gazette* that "the officers appointed to command the regiments to be raised in America should repair forthwith to their posts".<sup>58</sup>

For Newcastle and Hardwicke the climax was now reached. The Chancellor indignantly complained that such an act was contrary to the secrecy agreed upon by the cabinet, and regarded it as a "fresh proof how fond some persons were of power and what use they would make of it if they were in".<sup>59</sup> At the same time the news of a three-hour conference between Fox and Pitt worried both the duke and his friend with a consciousness of their minority.<sup>60</sup> When the paymaster had given his support to Granville's colonial policy, the Chancellor had expressed the hope that at least he would support it in Parliament<sup>61</sup> (the centre always of Newcastle's fears), and he now perceived that Pitt was determined to keep firmly on the side of Cumberland.<sup>62</sup>

Newcastle, in the meantime, saw that there was but one way of

<sup>56</sup> It was probably about this time that Pitt gave Newcastle the well-known reluff with its stinging sarcasm: "Your Grace knows that I have no capacity for these things and therefore I do not desire to be informed about them (colonial affairs)." *Diary of Lord Melcombe*, October 8, 1754.

<sup>57</sup> It was supposed that Lieut.-Col. St. Clair was somewhere in Flanders, but it was not known with certainty. Anson believed it would be nearly a fortnight before he could present himself for duty. *Brit. Mus., Add. MSS.*, 32737, f. 105. Fox intended that Pitcher should sail on the 14th, and supposed, probably, that he could force the appointment of another quartermaster. *Ibid.*, f. 63.

<sup>58</sup> *London Gazette*, October 8, 1754, quoted by Torrens, who gives a rather disconnected account of this controversy, II, 197-198.

<sup>59</sup> *Brit. Mus., Add. MSS.*, 32737, f. 147.

<sup>60</sup> *Ibid.*, ff. 109, 147. "I suppose in time", Hardwicke remarked dryly, "fire and water may agree."

<sup>61</sup> *Ibid.*, f. 27.

<sup>62</sup> *Ibid.*, f. 147.

checking his enemies and that was to lay his case before the king. It was true that George the Second had long bestowed his favor upon Fox,<sup>63</sup> but he was a man, who, while governable through a judicious use of tact, was ever sensitive to the least sign of coercion, and it was in this fact that the duke could place his hopes. So on the same day on which Fox had blown his latest blast the duke hurried to the royal Closet and prevailed upon the king to suspend all orders until a meeting should be held and they "had talked things over with Mr. Secretary at War. The King told me", continued Newcastle in relating the episode afterward, "that he was surprised when Fox brought the orders to sign for raising Shirley's and Pepperrell's regiments *now*. 'But', says the King, 'Mr. Fox told me it was to be so and what could I do?' I did not presume to say 'Not sign them'; but was very happy to have procured his Majesty's orders that everything should be suspended; which accordingly was done."<sup>64</sup>

For the moment Newcastle had triumphed, and it is possible that the duke's feelings are reflected in a cabinet meeting which took place the following day. Fox, though not of the cabinet, was present at the conference, and it was probably his proposal that the two regiments of Bradlock should be augmented. At all events a majority of the cabinet decided in the negative.<sup>65</sup> It would appear also that the secretary's recent haste had been too much for Anson, since the latter made a special effort to restrain him from dabbling in West Indian affairs, and it was insisted that Mr. Pitcher should wait for the missing quartermaster-general. The most Fox could do was to put off a second meeting of the cabinet until he should have consulted the Duke of Cumberland.<sup>66</sup> In connection with the meeting of October 9, we simply know that he was "civil", and

<sup>63</sup> This was one of Newcastle's chief anxieties, as shown by his correspondence of this year.

<sup>64</sup> Newcastle to Hardwicke, October 12, 1754. Brit. Mus., Add. MSS., 32737, f. 107.

<sup>65</sup> It was also decided to send two representatives to the Indians (one to the northern tribes, the other to the southern) in order to solicit their participation in the prospective expeditions. As in the case of the meeting of June 13 only a small proportion of the cabinet attended, the "inner committee" consisting on this occasion of Newcastle, Robinson, Holderness, Anson and Ligonier, lieutenant-general of the Ordnance. Fox appears to have been unaware of the suspension of his orders, as he notified Newcastle the same day as the meeting (October 9) that the warrants had been signed by the king. Brit. Mus., Add. MSS., 32737, f. 63.

The Minute of the above meeting (Whitehall, October 9, 1754) is in Brit. Mus., Add. MSS., 32095, f. 328.

<sup>66</sup> Robinson to Newcastle, October 11, 1754. *Ibid.*, 32737, f. 105.

carefully kept dark almost all of his measures. One order, which leaked out, had not been ratified by the king, and was consequently suspended by his Majesty—doubtless at Newcastle's instance.<sup>67</sup>

In all of these efforts to commit the administration to a vigorous policy, it was probably Cumberland who directed the military programme and Fox who managed cleverly the politics. That they should succeed in the end, when neither of them possessed a vote in the cabinet, is assuredly a tribute to their energy and skill. On Tuesday the 15th Fox was to consult the Duke of Cumberland;<sup>68</sup> but what plans were concerted between them are not known. We may presume that the cabinet met on the 16th<sup>69</sup>—the day fixed out of deference to Fox—but just what decision was taken we can only conjecture. Judging from a letter of Newcastle's somewhat later, we may infer that the entire scheme of Cumberland and Fox received endorsement and that all differences between Newcastle and Fox on the subject of expense<sup>70</sup> were decided in favor of the latter.<sup>71</sup> All the First Lord had been actually able to accomplish was to put effective clogs in the way of the secretary's haste, and when Fox attempted once more to hurry Pitcher, his colleagues insisted upon thwarting what they considered to be an effort to trick them.<sup>72</sup>

<sup>67</sup> Newcastle to Hardwicke, October 12, 1754. Brit. Mus., Add. MSS., 32737, f. 107. Nothing daunted, Fox hired some transports two days later without waiting for authorization from the Treasury, stating frankly that the time would not "admit of it". Fox to West, October 11, 1754. *Ibid.*, f. 133.

<sup>68</sup> Anson to Newcastle, October 12, 1754. *Ibid.*, f. 129.

<sup>69</sup> Newcastle sent Robinson to consult Cumberland, who was accordingly invited to attend the meeting; and the whole policy of the administration was probably discussed. Newcastle to Walpole, October 26, 1754. Brit. Mus., Add. MSS., 32737, f. 207.

<sup>70</sup> Fox, for example, wished six months' pay in advance to be sent to the colonial regiments, and that it should be due from September 24. Newcastle would have waited until it was certain that the regiments could be actually raised. This was an acknowledgment of the difficulty in raising troops, which had probably been the reason for Fox's proposition. Brit. Mus., Add. MSS., 32737, ff. 51, 107.

<sup>71</sup> "I have differed a little", writes Newcastle later, in relating the controversy, "as to some preparatory steps, which, I thought, might be more frugally and effectually done another way. But as the Duke (Cumberland) persisted in thinking otherwise, I have, in great measure, acquiesced." Brit. Mus., Add. MSS., 32737, f. 207.

<sup>72</sup> Pitcher came in great astonishment to Robinson and showed him a letter from Fox ordering him (Pitcher) to arrange for his departure at once. Robinson, who was an obedient follower of Newcastle's politics, ventured now to act on his own initiative, and detained the deputy-commissary while he consulted the Chancellor. Hardwicke expressed his belief that it was a scheme to get Pitcher to America long before Braddock should arrive, thus giving the colonists the impression that the government was still unprepared, and, in consequence, to discredit the ministry. Fox's letter was accordingly remodelled and Pitcher's departure deferred. Robinson to Newcastle, October 26, 1754. Brit. Mus., Add. MSS., 32737, f. 201.

It was not, in fact, until January that the two regiments of Braddock's ill-fated expedition embarked for America.<sup>73</sup>

The temporary stir which took place in Paris as a result of these preparations certainly justified the fears of Newcastle and the Chancellor;<sup>74</sup> and, after all the trouble and contention attending both expeditions, as we know, ended in failure, Braddock's being cut to pieces in the forests of Pennsylvania, and Shirley's abandoned after numerous hardships.<sup>75</sup>

But the political aspects of the controversy were scarcely less important than the military. It was in November that Fox and Pitt united to humiliate Newcastle<sup>76</sup> in Parliament, and it was in December that the duke was compelled to admit Fox to the cabinet.<sup>77</sup> The faction which forced the duke's hand in the autumn of 1754 might be called the germ of the War Party, which precipitated the rupture with France in 1755.<sup>78</sup>

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<sup>73</sup> The general himself embarked toward the end of December.

<sup>74</sup> See Corbett, *England in the Seven Years War*, I, 10, 30.

<sup>75</sup> It had apparently been originally planned to send Shirley against the French settlements on the St. John (Brit. Mus., Add. MSS., 32737, f. 107) but he was eventually sent against Fort Niagara, which he promised Braddock to reach toward the end of June (Sargent, p. 306). The expedition against Crown Point was also unsuccessful; only the one against Ft. Beauséjour accomplished its object.

<sup>76</sup> Pitt attacked Newcastle directly; both Pitt and Fox humbled the duke's representative, Robinson; and Pitt also attacked Murray, the duke's leading debater.

<sup>77</sup> Waldegrave, *Memoirs*, p. 34.

<sup>78</sup> The ultimate triumph of the War Party is briefly summarized in Dr. von Ruville's *Life of Chatham* (Eng. trans.), I, 355, 364-365.

## A PRELIMINARY STUDY OF THE ADMINISTRATIVE POLITY OF NAPOLEON I.<sup>1</sup>

It is somewhat remarkable that while Napoleon Bonaparte has always been recognized as the chief architect of the modern French state, his plans and specifications, so to speak, and the actual process of his direction of the construction, have been as yet but slightly studied. The general effect has been closely examined and variously appraised, and certain phases, such as the church, education, finance and industry, have been subjected to expert scrutiny; but I am not aware of any thorough and comprehensive inquiry into the principles and practices of general administration from the point of view of the shaping of the new institutions. Yet such an inquiry must be admitted to be essential to the comprehension both of the man and of his work.

I am not unmindful of the careful attention that has frequently been given to the fundamental documents of the new régime. But here, as so often in the study of the history of institutions, it seems necessary to call attention to the importance of closely following the daily executive interpretation of such documents, the daily course of their application in connection with the problems of civil government. Institutions are after all manipulated by men and for men, and when we lose sight of this flesh-and-blood element, we deal only with dry bones. It is through the constant contact of these bones with flesh and blood that the body's habit and action, the organic life, is determined. From this point of view I have entered on the study of the aims and methods of Napoleon Bonaparte in the administration of the government of France and of their working out in civil institutions.

Napoleon is one of the great administrators of all time, and his

<sup>1</sup> The material made use of in this paper is drawn from the authorized *Correspondance de Napoléon Ier* (Paris, 1858-1870, 32 vols.), with the supplements of Lecestre, *Napoléon Ier, Lettres Inédites, an VIII-1815* (Paris, 1897, 2 vols.), and De Brotonne, *Lettres Inédites de Napoléon I.* (Paris, 1898) and *Dernières Lettres Inédites de Napoléon I.* (Paris, 1903, 2 vols.), from the Rondonneau Collection of *imprimés* in the Archives Nationales, from the *cartons* of the Arch. Nat. entitled "Journaux du Cabinet de l'Empereur, an VIII-1815" (AF IV, 909), and "Dictées de l'Empereur au Ministre Sec. d'Etat, an XII-1815" (AF IV, 910), and from the *registres* containing the "Procès-verbaux des Séances des Consuls, 1800-1804" (AF\* IV, 3-15). The authorized *Correspondance* will be referred to as *Corr.*, the supplements under the names of the editors.

work crystallizes the results of the most striking period of transition in modern history; a close study of the progress of that work seems to me the most effective way of dealing with the problems of the meaning and results of the French Revolution, and of the relations to it and to the Old Régime of modern France and modern Europe. The present brief paper aims to do little more than set forth certain preliminaries to such a study; it is concerned with principles and purposes rather than achievements, and deals with only certain phases of the spirit and tendencies of the Napoleonic government. For the most part, I have left Napoleon to speak for himself, and have neglected, as often open to suspicion, most of his public utterances, and all statements and explanations made apart from the course of normal civil administration. I have therefore confined myself to such more or less confidential communications as can hardly be supposed to have been affected by the idea of publicity, present or future; for lack of space I have left aside for the present all legislative work. The confidential communications used are, it will be noticed, for the most part such as present administrative decisions; they represent therefore not only what Napoleon said but what he did. In grouping them I have aimed to confine myself to two general aspects: (1) the enunciation or indication by Napoleon of political principles or administrative methods; (2) the legality or constitutionality of his régime. And I should be the first to concede that the material presented is quite fragmentary, that for the most part it raises questions without furnishing those conclusive answers that can rest alone on more extended work.

## I.

It is not possible, I think, to present any comprehensive view of society or politics from the utterances of Napoleon; but the student will hardly doubt that he not only had the born ruler's intuition, but had reflected deeply on the general problems of government. Both intuition and reflection doubtless lie behind a couple of interesting remarks on the Art of Ruling that belong to the year 1804. They are made to Fouché, to whom on September 9 he writes with respect to a recent production by Barère entitled *Lettre à l'Armée*; he says that he has not read it as it was both improper and futile, and that Barère, "dont les déclamations et les sophismes ne sont pas en harmonie avec sa colossale réputation", is to be warned not to meddle with such matters. "Il croit toujours", adds Napoleon, "qu'il faut animer les masses; il faut, au contraire, les diriger sans qu'elles s'en aperçoivent."<sup>2</sup>

<sup>2</sup> *Correspondance*, IX, 511.



A few weeks later he remarks, à propos of the "amnisties" (probably the returned *émigrés*), "Dans les gouvernements, il faut de la conséquence; du moment qu'on admet un individu à faire partie de l'ordre politique, il doit en posséder tous les droits. . . . L'art des gouvernements est de punir les méchants, mais de récompenser les honnêtes gens. . . . Le principe général est de tenir tout en surveillance, et de faire des exceptions en faveur de ceux qui se comportent bien."<sup>3</sup> This observation has a collateral interest, and suggests the remark that Napoleon was not always able to display that "conséquence" which he recognized as a prime virtue of the ruler; in regard to the *émigrés*, for example, he might seem to have spoiled his own work in large degree by failing to follow up his early generous and statesmanlike policy. But instead of causing us simply to view Napoleon's professions with suspicion, this should perhaps lead us to recognize what is often ignored: that the conciliatory advances of the new government were for the most part futile, that it was forced constantly to regard itself as surrounded by irreconcilable enemies, and that from this and other causes the administrative conditions never became entirely normal.

The memoirs and other personal fragments of this period frequently represent Napoleon as discoursing freely on revolutionary questions and on his own position in France. Such records unfortunately are open to much suspicion from the uncertainty both as to Napoleon's immediate object or dramatic instinct, and as to the narrator's good faith or good memory. It is but rarely that direct reference is made to such fundamental matters in the administrative correspondence. The first instance is perhaps in 1802, when he begins the life consulship with the declaration to the Senate that "Le suffrage du peuple m'a investi de la suprême magistrature. Je ne me croirais pas assuré de sa confiance, si l'acte qui m'y retiendrait n'était encore sanctionné par son suffrage."<sup>4</sup> When his dignity was made imperial and hereditary, his public language shows the change, and he declares to the Senate, April 25, 1804, "Nous avons été constamment guidés par cette grande vérité: que la souveraineté réside dans le Peuple français, en ce sens que tout, tout sans exception, doit être fait pour son intérêt, pour son bonheur et pour sa gloire."<sup>5</sup> It is evident that this guarded statement may mean no more than the motto of Frederick the Great's despotism, "I am the first servant of the State", and the purport of it will be the more evident when it is remembered that it occurs in the response to that

<sup>3</sup> *Corr.*, X, 15.

<sup>4</sup> *Ibid.*, VII, 460.

<sup>5</sup> *Ibid.*, IX, 341.

address in which the Senate had declared that "Il faut que la liberté et l'égalité soient sacrés, que le pacte social ne puisse pas être violé, que la souveraineté du peuple ne soit jamais méconnue, et que la nation ne soit jamais forcé de ressaisir sa puissance et venger sa majesté outragée."<sup>6</sup> By 1812 the Emperor seems to have reached the point of open hostility to the idea of popular sovereignty, or perhaps rather to any expression of that idea, for on December 20 he breaks out in his reply to an address of the Council of State:

C'est à l'idéologie, à cette ténébreuse métaphysique qui, en recherchant avec subtilité les causes premières, veut sur ces bases fonder la législation des peuples, au lieu d'approprier les lois à la connaissance du cœur humain et aux leçons de l'histoire, qu'il faut attribuer tous les malheurs qu'a éprouvés notre belle France. Ces erreurs devaient et ont effectivement amené le régime des hommes de sang. En effet, qui a proclamé le principe d'insurrection comme un devoir? qui a adulé le peuple en le proclamant à une souveraineté qu'il était incapable d'exercer? qui a détruit le respect et la sainteté des lois, en les faisant dépendre, non des principes sacrés de la justice, de la nature des choses et de la justice civile, mais seulement de la volonté d'une assemblée composée d'hommes étrangers à la connaissance des lois civiles, criminelles, administratives, politiques et militaires?<sup>7</sup>

It is not necessary for me to delay upon the character and history of the representative bodies of the Napoleonic period; it is probably just enough to regard them as innocuous if not farcical. The Emperor's real attitude with respect to parliamentary representation is probably accurately expressed in a note for Cambacérès, October 28, 1809, by the remark with reference to the Corps Législatif, "Aucun corps ne peut se dire représentant de la nation. Toutes les autorités la représentent également."<sup>8</sup> We can hardly doubt that Napoleon dreaded the institution and resented its claims, and we cannot be surprised that he should have both dreaded and resented claims so closely identified with ten years of excess and disaster. And in judging his attitude toward alike the theory of popular sovereignty and its expression in parliamentary institutions, we must remember (as Napoleon III. urged) that government in his brief reign can hardly be looked at as ever reaching normal conditions, and that he might well have continued to believe throughout the most of it that the task of establishing order and winning men from the revolutionary temper and from the dangerous brooding on revolutionary ideas and activities, would be fatally hampered by freedom of political association and agitation. We have evidence that Napoleon as an observer of the revolutionary popular move-

<sup>6</sup> March 27, 1804.

<sup>7</sup> *Corr.*, XXIV, 343.

<sup>8</sup> *Ibid.*, XX, 16.

ments had received impressions that left him somewhat nervous with respect to such movements. Some peculiarities in his treatment of Paris were largely the result of this sentiment, and its existence probably had much to do with his constant vigilance as to Parisian and provincial public spirit and with his unremitting efforts to repress all mediums of the interchange of ideas on public affairs.

But whether or not he were permanently or only temporarily hostile to representative government, he recognized the necessity of keeping constantly in touch with public opinion and of remaining the exponent of national feeling. In this way he represents clearly one of the great changes that had come about, the larger place taken by public opinion and national sentiment. He undoubtedly looked upon himself as receiving his power from or with the approval of the nation, and as remaining dependent upon that approval; that he ever felt himself to be in the position of the hated tyrant, to be estranged in spirit from and physically set over against his people, I do not believe. In this connection one might quote some sentences in a note for Cambacérès of August 2, 1809. After speaking of the inadvisability of "les choses masquées" in administration, he goes on to sweep away the artificial construction of the "imperial domain" as composed of "contributions levées sur l'ennemi" with the remark that "cette affectation si positive d'une chose appartenant à l'Empereur et non à la nation était un peu trop tranchante, car l'Empereur ne fait la guerre qu'avec les moyens et l'argent de la nation." And he adds:

Toutes les fois que dans une loi ou sénatus-consulte on voudra donner à l'Empereur des propriétés autres que sa liste civile et ses acquisitions, on trouvera des embarras et des contrariétés. Mais toutes les fois qu'on le chargera d'administrer ou de régler telle partie, on sera d'accord. . . . L'Empereur ne peut donner un seul arpent du domaine national, ni même du domaine de sa liste civile. Établir le contraire ce serait aller contre tous les principes.\*

This recognition of the identity of crown and people should be viewed in the light of his efforts in various ways to get into and keep in touch with the nation. He was determined to retain control as well as initiative, and to crush every effort at popular agitation; but he was also sincerely anxious to get such information and advice as would enable him to act in the general interest. This is, I think, the predominant idea in the institution of the *senatoreries*, through which a number of the senators (who were constitutionally excluded from open political or administrative activity) were peri-

\* *Corr.*, XIX. 295.

odically employed in secret investigations of conditions in specific territories; as explained by Regnaud in 1803 to the Corps Législatif, this institution was intended to aid in bringing the Senate closer to the nation, in placing before the government the public needs and ideas, and in enabling the public to know "la véritable pensée du gouvernement".<sup>10</sup> The same purpose was claimed in the institution of the Legion of Honor, which is referred to in the Minutes of the Council of State of the 25 Floréal an X as "une institution politique qui place dans la société des intermédiaires par lesquels les actes du pouvoir sont traduits à l'opinion avec fidélité et bienveillance, et par lesquels l'opinion peut remonter jusqu'au pouvoir."<sup>11</sup>

These facts should be kept in mind when we reflect upon the well-known process of the purging of the Tribune and Senate and the final suppression of the former. The Corps Législatif was not so much interfered with; that Napoleon, however, cannot justly be accused of holding out false hopes to it may be seen from the expressions used when, on the 24 Frimaire an XII, the Senate decreed new regulations for its organization and operation. One of these was that the First Consul should appoint the annual president (formerly elected monthly) from candidates nominated to him by the assembly; in stating the reasons for this change Regnaud declared that the government encouraged all communications from the Corps Législatif, and aimed to assure to it "la liberté d'une discussion éclairée . . . la faculté d'adresser au Gouvernement l'expression de ses sentiments, le résultat de ses pensées, de manière à éclairer, encourager sa marche, sans pouvoir la retarder et l'arrêter jamais; et il lui laisse tout entière l'obligation de se soumettre au régulateur souverain qui commande à toutes les autorités et balance tous les pouvoirs, à l'opinion publique."<sup>12</sup>

It seems clear from all this that Napoleon looked upon the central representative institutions as proper (in at least the conditions then confronting government in France) only to furnish light to an all-powerful and responsible executive. It is not to be expected that he would view otherwise the functions of the representative bodies that acted locally. In considering these we perhaps need not stop to distinguish between the advisory councils of the communes, *arrondissements* and departments, occupied with questions of local administration, and the electoral colleges in the *arrondissements* and departments that took the place of the original "lists

<sup>10</sup> Archives Nationales, AD XVIII<sup>e</sup>, 314.

<sup>11</sup> *Ibid.*, VI, 80.

<sup>12</sup> *Ibid.*, XVIII<sup>e</sup>, 314.

of notabilities"; there is little difference with respect to popular election (practically excluded after 1802), and all, as composed of residents, are alike representative of local public opinion and interests. None of these local organs appears to us as dangerous, but yet we find Napoleon exercising constant vigilance in their regard. September 17, 1801, he comments upon the unsatisfactory character of the recent sessions of the departmental councils, as wholly occupied with local and personal matters, and declares that in the next session it will be necessary "de leur indiquer, par une instruction, les objets principaux sur lesquels doivent porter leurs délibérations".<sup>13</sup>

If it is natural to suspect that he is simply seeking a pretext for increasing the subjection of these bodies, we must at least concede that he drew a line with regard to the kind of control, for on May 24, 1804, he expresses strongly his disapproval of the intimidating action of one of the military commanders in regard to an electoral college, and especially "qu'une assemblée toute civile ait été environnée de troupes". He informs the Minister of the Interior, to whom he is writing, that "Les maximes du Gouvernement sont entièrement contraires à cette mesure: il ne désire régner que par la confiance, et il n'a jamais voulu qu'on pût mettre des bornes à la libre expression des citoyens appelés aux fonctions électorales."<sup>14</sup> In March, 1805, after the institution of the Legion of Honor and the provision for the *ex-officio* sitting of legionaries in the electoral colleges, he writes to confine to one-tenth the proportion of such members.<sup>15</sup> His constant care to prevent the development of a dangerous public spirit through these assemblies is shown, March 27, 1805, in his directions to the Minister of the Interior with respect to the convocation of the cantonal ones. Contiguous departments are not to be allowed to hold such meetings at the same time; "Le ministre fera un rapport sur l'esprit qui a animé l'année dernière les collèges qui viennent d'être convoqués, afin que l'on puisse, en usant de la prérogative qui appartient à l'Empereur, rétablir l'équilibre."<sup>16</sup> In the following year there were issued new "Instructions pour Messieurs les Présidents des Collèges Electoraux", in which it is directed that "le collège ne peut directement ni indirectement sous quelque prétexte que ce soit, correspondre avec un autre collège, sous peine de dissolution."<sup>17</sup>

<sup>13</sup> *Corr.*, VII, 254.

<sup>14</sup> *Ibid.*, IX, 370.

<sup>15</sup> *Ibid.*, X, 203.

<sup>16</sup> *Ibid.*, X, 265.

<sup>17</sup> *Arch. Nat.*, AD I, 73.

This is, of course, only a part of a general policy of repression with respect to public movements or expressions of public spirit that has been frequently dwelt upon. It is true that June 7, 1800, Napoleon wrote from Italy to the other consuls in disapproval of the suppression of a journal for reflections on the Institute, and remarks, "il doit régner la plus grande liberté";<sup>18</sup> but this temper did not last long and all that remained of journalism was placed soon under a reign of terror. Official displeasure was constantly visited on any sign of appealing to the public through the press in regard to public affairs. March 26, 1806, the Emperor requests the Minister to inform the Chambers of Commerce that "la voie la plus inconvenante et la plus inefficace de faire parvenir à Sa Majesté ou des vues, ou des représentations, est celle de l'impression. Une chose imprimée, par cela même qu'elle est un appel à l'opinion, n'en est plus un à l'autorité."<sup>19</sup> In a letter to Champagny, Minister of the Interior, April 26, 1806, with respect to a municipal official whom the prefect had charged with insubordination, he declares that the charge could be regarded as serious only if the accused had published his remonstrance, in which act would lie "son tort le plus réel".<sup>20</sup> About the same time he announces limitations on the access to the government of deputations, declaring that they could be sent only by the electoral colleges or by the municipal and departmental councils, acting in a prescribed way. In June of the same year he writes to Eugene Beauharnais, Viceroy of Italy, "Mon fils, il faut imprimer peu. . . . En général, le moins que vous ferez imprimer sera le mieux."<sup>21</sup>

The subject of local representative institutions suggests the large topic of local autonomy vs. centralization. This issue can hardly be said to be raised directly in official communications, and, as we should expect, the whole trend was toward a centralization which at that time might well have appeared the only promising line of development. But yet we have some evidence that Napoleon was not wholly responsible for the excess of this development or blind to its dangers. If we can rely on a note dictated by him to Lucien Bonaparte when appointed Minister of the Interior at the beginning of the consulate, Napoleon began his administration strongly convinced of the evils of excessive centralization and anxious to maintain considerable local autonomy. The note<sup>22</sup> refers with approval

<sup>18</sup> *Corr.*, VI, 343.

<sup>19</sup> *Ibid.*, XII, 218.

<sup>20</sup> *Ibid.*, XII, 311.

<sup>21</sup> *Ibid.*, XII, 478.

<sup>22</sup> *Ibid.*, VI, 50. The document is published in the official *Correspondance* as an extract from the *École des Communes*; no treatise of this title appears elsewhere.

to the early revolutionary policy in regard to the communes, says that since 1790 the commune that before had belonged to the seigneur and the priest had been "une véritable *personne*, ayant droit de posséder, d'acquérir", but adds that since 1790 also these 36,000 communes had been pillaged by the government, that in ten years more they would be reduced to beggary, and that it is the duty of the minister to avert an evil "qui porterait la gangrène dans ces trente-six mille membres du grand corps social". An inventory is therefore to be made with special reference to communal conditions, and every official effort is to be given to preserving the *biens communaux* and to general improvement; ten years of such a régime would, it is predicted, leave in France only "communes ayant des ressources disponibles", and the general movement of prosperity given to the country by the activity of thirty-six million individuals would be multiplied "par la puissance amélioratrice de trente-six mille individualités communales agissant toutes sous la haute direction du Gouvernement".

This last clause, it will be noticed, is somewhat ominous; the extent and the exact method of the exercise of "la haute direction" were probably not easily determined, for there followed a good deal of experimentation with respect to the supervision of the communes. The constitutional changes of 1802 and 1804 greatly advanced the process of stifling local initiative and freedom of action; it is hence rather surprising to find on October 27, 1804, a doubt addressed by Napoleon to the Council of State with reference to the project of making *maires* and their adjoints a part of the municipal councils. "Comment", he asks, "accorde-t-on cette mesure avec le droit de surveillance du conseil sur l'administration de la municipalité?"<sup>23</sup> And it was not until June 4, 1806, that it was declared by decree that for the future the *maire* should sit in and preside over the council.<sup>24</sup>

The treatment of the communal properties in the later years of the Empire was no doubt in large degree the natural or inevitable result of Napoleon's financial difficulties; for the policy outlined with such enthusiasm in 1800, there is substituted an effort to shift public burdens from the central to the local administrations, and to appropriate for the state the resources of the communal lands. A note for the Minister of the Interior, September 17, 1810, dwells on the desirability of thus increasing the communal obligations, declares that the communes "sont, en général, trop riches" and are extrav-

<sup>23</sup> *Corr.*, N. 36.

<sup>24</sup> These councils it will be remembered were nominated by the prefects.

agantly managed, the *maires* (who ought not to be paid at all) sometimes receiving more than the prefects; the minister is therefore directed to prepare a project for a law under which the communes should abandon to the state one-half of the *octrois* in order that direct taxation might be reduced. We find Napoleon carried on in this direction even beyond the docility of the Council of State; for June 26, 1813, he writes from Dresden to the imperial arch-chancellor, Cambacérés,<sup>25</sup> that if the council continues to retard by a "foule de questions contentieuses" the sale of the communal properties the matter is to be removed from it altogether and managed by the Arch-Chancellor, the Minister of Justice and the Grand Judge. He declares that the communes are to be left only "les objets d'agrément". That this, however, was an exceptional war-measure is indicated by the remark: "Il importe, dans la situation actuelle des affaires, de soutenir le Trésor; tout le reste est indifférent." This step is further pushed on in a letter to Gaudin, Minister of Finance, of the following July;<sup>26</sup> he asks for the names of the departments in which communal properties have not already been taken possession of, and adds that, as the new financial arrangements will now enable these also to be sold, the process is to be extended to them.<sup>27</sup>

This summary of Napoleon's treatment of the principle and practice of popular sovereignty will show how far he had wandered from the rationalistic positions of the men of the eighteenth century and of the Revolution, and may seem to justify Taine's remark that he entertained only disgust for the revolutionary ideas and principles. But a very little investigation shows that this is distinctly something less than a half-truth. Without going fully into the question of how far Napoleon really shared the revolutionary ideas or how far he consciously carried on or opposed the revolutionary work, I will point out some evidence of a consistent effort on his part to identify himself and his régime with the previous epoch. It is, of course, advisable to formulate a general caution as to the degree in which he may be suspected of simply echoing the current or lately prevailing cant; it is probably true that he was slow in emancipating himself from the idea that it was advisable to use it. But with the fullest allowance of this kind it must still, I think, be concluded that Napoleon Bonaparte so far continued to share the

<sup>25</sup> *Lecestre*, II, 253.

<sup>26</sup> *Corr.*, XXV, 477.

<sup>27</sup> The large question of the *biens communaux* is only touched on in the above remarks. Many other elements were involved; but an adequate discussion of them is at present impossible.



revolutionary attitude and uphold the revolutionary work as to set him and his government at a long distance from the Old Régime.

The revolutionary abolition of feudal obstacles to the well-being of the masses and to the effective use by the state of the national resources, is frequently referred to by Napoleon with the most emphatic approval: in this, however, both he and the revolutionists were only in line with the policy of the eighteenth-century enlightened absolutism. July 18, 1801, the consuls issued a proclamation "aux habitants des quatre départements de la rive gauche du Rhin", in which the newly incorporated Alsatians and Lorrainers are forcibly reminded of all they had won.

Des privilèges odieux n'enchaînent plus l'industrie des ouvriers; le gibier ne ravage plus les champs du cultivateur, ne dévore plus les fruits de son travail; pour tous ont cessé d'avisssantes corvées; pour tous a cessé la dégradation des servitudes féodales.

La dime est abolie; les contributions de tous genres sont adoucies; les perceptions sont également réparties entre les terres du seigneur ou de l'ecclésiastique ci-devant exempts de charges, et celles du particulier qui les supportait seul; les douanes intérieures qui se rencontraient au passage d'une contrée à une autre, ou empêchaient de remonter les rivières, sont supprimées.

Une justice impartiale, des administrations régulières sont substituées à l'autorité arbitraire des baillis.<sup>28</sup>

On January 19, 1803, Napoleon questions the Minister of Justice with respect to the full abolition of feudal conditions in these departments and in the Netherlands.<sup>29</sup> It has been frequently pointed out that the extension of his power was always marked by these changes, and it is not now necessary for me to delay on the fact that the application of such measures was apparently in course of modification at one time in the later years of the Empire in the interests of the revenue.<sup>30</sup> For at the end of 1811 we find adherence to the

<sup>28</sup> *Corr.*, VII, 198.

<sup>29</sup> *Ibid.*, VIII, 183.

<sup>30</sup> I refer here to a phase of this matter on which my material is as yet incomplete and which is not represented at all, I think, in the published documents. The *carton* of the National Archives entitled "Journaux du Cabinet de l'Empereur, an VIII-1815" (AF IV, 909) contains the following "Note dictée par l'Empereur au Prince Cambacérès du 9 novembre 1810":

"Sa Majesté desire que le Prince Cambacérès fasse venir près de lui MM. les Comtes Treillard et Merlin, confère avec eux sur les objets ci-après et présente à S. M. les idées sur les mesures qu'on peut être dans le cas d'adopter.

"Le système féodal a été aboli en France. Il ne peut être question de revenir sur cette partie de notre législation pour ce qui concerne l'ancienne France et les pays anciennement réunis. Doit-elle être appliquée aux Départemens de Hollande? à ceux des États romains? à ceux de la Toscane? et ne peut-on pas aussi en excepter Ceux de Piémont, si l'état des choses le permet encore? Cet objet est très digne d'attention. Le résultat de la Suppression des Droits féodaux

revolutionary principles sufficiently set forth anew in the decree for the abolition of the feudal régime in the newly-incorporated North-west Germany.<sup>31</sup>

An emphatic general approval of the nationalizing effects of the revolutionary measures is contained in a letter of the First Consul to Cambacérès, November 3, 1802. It is written from Rouen and dwells on the good conditions prevailing in the town.

Sa prospérité s'est accrue d'un tiers depuis 1788. Il y a dans tout ce département un attachement au Gouvernement, franc et dégagé de toute autre pensée. On y retrouve les avantages de ce système de 1789 qui avait armé la nation entière et l'avait réunie dans le même mouvement. Depuis le négociant ou le fabricant le plus riche, et qui, pendant la révolution, ont eu le plus la réputation d'aristocratie, jusqu'au dernier homme du peuple, ils sont tous réunis.<sup>32</sup>

In 1803 we find the First Consul vigorously denouncing a book that had defamed the Revolution and being led by the incident to increase the stringency of the press censorship.<sup>33</sup> In 1807 he writes to the president of the Section of the Interior of the Council of State to condemn an order against the civilian bearing of arms issued by a military commander engaged in suppressing brigandage; he points out the lack of authority of either a military commander or a prefect to so restrict the rights of the citizen, and concludes, with language that under more public conditions would be open to suspicion: "Tout noble était autrefois en possession de ce droit; aujourd'hui tout Français domicilié, tout citoyen qui, dans son ex- dans ces pays serait en même tems, une perte considérable pour l'Etat et la ruine de beaucoup de Particuliers, Sans aucune autre motif et sans aucune autre avantage que de depouiller Ceux qui jouissent pour libérer les débiteurs des obligations qui leur ont été imposées de tout tems. Un rapport est nécessaire pour concilier avec le Code napoleon les modifications qu'il convient de faire de nos lois dans ces différents pays. Déjà le Conseil d'Etat, en délibérant sur les lois à publier dans les Departemens de la Hollande s'est refusé à comprendre dans la Nomenclature proposée les lois sur la suppression des Droits féodaux. Il y a sur cet objet essentiel un travail très utile à faire. En interprétant les Decrets de l'assemblée constituante de manière à déclarer féodales propriétés qui n'étaient pas, mais qui étaient seulement frappées d'un Cens, on a obéi à la Politique et le Trésor a perdu une centaine de Millions. Il n'y a aucun Raison pour le soumettre à cette perte dans les nouveaux Departemens."

On the same date a similar but more extended communication was dictated for the Secretary of State, going more fully into the ways in which the treasury had suffered, and repeating almost verbatim the above sentences. It is not, however, probable that further research into this matter would reveal any other than financial motives. And it is, of course, entirely true that both the state and the legitimate rights of private property had been largely and unnecessarily injured in the too hasty and sweeping measures of the Revolution.

<sup>31</sup> *Corr.*, XXIII. 62.

<sup>32</sup> *Ibid.*, VIII. 88.

<sup>33</sup> *Ibid.*, VIII. 374.

istence privée, donne à la société une caution de sa conduite, est noble."<sup>24</sup> The acts and utterances of the Hundred Days are, of course, untrustworthy, but in this connection it may yet be worth while pointing out how constantly he appeals to the Revolution and to his own administration as confirming its benefits: with his earlier acts in mind we can scarcely deny that he might well have made these appeals with sincerity and good conscience. At least he uses no immoderate language when in his proclamation "Aux Habitants des Hautes et Basses-Alpes", March 6, 1815, he claims that his return "garantit la conservation de toutes les propriétés", and appeals for their support on the ground that "L'égalité entre toutes les classes, et les droits dont vous jouissez depuis vingt-cinq ans, et après lesquels nos pères ont tant soupiré, forment aujourd'hui une partie de votre existence."<sup>25</sup>

The revolutionary breaking-down of the Régime of Privilege that is here referred to, was undoubtedly a change that Napoleon had much at heart, and with which he identified himself to the fullest degree. But it was not in the extreme spirit of rationalistic democracy that he regarded this social revolution, and his attitude was probably not any more adapted to please the *sans-culotte* than the aristocrat of the Old Régime. He belongs in spirit emphatically to the bourgeois revolution, and on various occasions dwells with great emphasis and approval upon the leadership thus secured to the middle classes. In March, 1805, he writes to the Minister of Finance with respect to the formation of those lists of the largest tax-payers that were to be the basis of official life. In forming these lists, special attention is to be given, he directs, to such as have more than one-half of their fortunes in *biens nationaux*.

L'intention de l'Empereur est de ne comprendre parmi les 30 plus imposés que des personnes appartenant aux familles les plus considérables par leur existence antérieure et présente, par l'étendue de leurs liaisons de parenté dans le département, par leurs bonnes mœurs et leurs vertus publiques et privées. Quand on dit les familles les plus considérables, on n'entend pas celles qui jouissaient de plus de considération dans l'ancien ordre de choses, à raison de leur extraction, quoique l'on n'entende pas non plus que ces circonstances antérieures doivent les exclure; mais on entend spécialement les bonnes familles qui appartenaient à ce que l'on appelait autrefois le tiers état, partie la plus saine de la population, et que les liens les plus étroits et les plus nombreux attachent au Gouvernement.

Not more than one-sixth of those included should be persons "ayant autrefois joui d'une existence particulière à raison de leur

<sup>24</sup> *Corr.*, XIV, 401.

<sup>25</sup> *Ibid.*, XXVIII, 6.

naissance". How much the Emperor had this policy at heart is shown by the concluding injunction: "La plupart de ces idées devront rester très-secrètes; c'est la pensée tout entière de l'Empereur sur cette matière; aucun acte public, aucune circulaire ne doit la laisser pénétrer."<sup>29</sup> These views are again strongly enunciated in a letter to Jerome Bonaparte of November 15, 1807, accompanying a new constitution for Westphalia. In this the new king is directed to see to it that the Council of State should be mainly non-noble,

toutefois sans que personne s'aperçoive de cette habituelle surveillance à maintenir en majorité le tiers état dans tous les emplois. J'en excepte quelques places de cour, auxquelles . . . il faut appeler les plus grands noms. Mais que . . . dans vos administrations, la plus grande partie des personnes que vous emploierez ne soit pas noble. Cette conduite ira au cœur de la Germanie et affligera peut-être l'autre classe; n'y faites point attention. Il suffit de ne porter aucune affectation dans cette conduite, et surtout de ne jamais entamer de discussions ni faire comprendre que vous attachez tant d'importance à relever le tiers état. Le principe avoué est de choisir les talents partout où il y en a."

This subject leads logically to a study of Napoleon's attitude to the aristocracy, old and new, but manifestly this cannot be attempted here with any thoroughness. There is considerable obscurity and some appearance of inconsistency in Napoleon's acts and expressions in this matter; this probably testifies to long-continued uncertainty in his own mind (perhaps I might even venture to say, to conflict between principle and policy), and also in all likelihood to the forcing of his hand by events. I shall at present confine myself to quoting some sentences which show that in founding a new nobility or in conceding their distinctions to the old, Napoleon never forgot his fundamental system. March 30, 1807, he writes to Louis of Holland of his astonishment at the news that Louis was re-establishing the old Dutch nobility in its titles and privileges. "Comment", he asks, "serait-il possible que vous ayez eu assez peu de discernement pour ne pas sentir que rien n'était plus funeste à vous, à vos peuples, à la France et à moi? Prince français, comment auriez-vous pu violer vos premiers serments, qui sont de maintenir l'égalité parmi vos peuples?" He adds that Louis will lose the love of the Dutch; "Car, si une noblesse est soutenable dans un pays militaire, elle est insoutenable dans un pays de commerçants. J'estime mieux le dernier boutiquier d'Amsterdam que le premier noble de Hollande."<sup>30</sup> But it is only in August of the same year

<sup>29</sup> *Corr.*, X, 205.

<sup>30</sup> *Ibid.*, XVI, 173.

<sup>31</sup> *Lecestre*, I, 90.

that Napoleon writes to Cambacérès with respect to a decree-project for the conferring of titles on the most important members of the electoral colleges; it is pointed out that "l'exécution de ce système est le seul moyen de déraciner entièrement l'ancienne noblesse. On s'appelle encore duc, marquis, baron; on a repris ses armes et ses livrées. Il était facile de prévoir que, si l'on ne remplaçait pas ces habitudes anciennes par des institutions nouvelles, elles ne tarderaient pas à renaître." Accordingly the decree, in the desire "effacer jusqu'au souvenir des anciennes distinctions et des anciens privilèges qui ont été réprouvés par nos constitutions et par nos lois", proceeds to the establishment of the hereditary titles of duke, count and baron.<sup>39</sup> After this step the Emperor was obliged to relax his opposition to the policy of Louis in Holland, though he repeats to him, May 6, 1808, that his measures are "fort inutile" and that he must draw the line at the creation of princes.<sup>40</sup> In 1810 in a note for the Imperial Arch-Chancellor he dwells on the advisability of the rapid development of the institution of hereditary titles in order that the new nobility may be really national, and repeats that the whole aim of the imperial policy in this matter was "donner des appuis à la dynastie présente, faire oublier l'ancienne noblesse".<sup>41</sup>

Only a few months later we find steps apparently taken to modify the work of Louis in Holland and to reconstruct the Dutch nobility on an imperial basis;<sup>42</sup> there are other indications of a new aim of developing an imperial nobility as distinct from national aristocracies, and it is probable that the difficulties and uncertainties of this policy largely account for inconsistencies in the later years. In a letter to Murat of November 20, 1809, Napoleon approves of a step recently taken by the Neapolitan government as likely to be "utile à votre royaume en régénérant sa noblesse et en entourant le trône de familles qui lui devront les distinctions dont elles seront revêtues".<sup>43</sup> But a year later he writes that Murat's idea of reconstructing the Neapolitan noblesse is ridiculous and that he is to keep it as it is.

J'ai dû reconstituer en France la noblesse, parce qu'il s'était élevé beaucoup d'hommes qui se sont illustrés dans toutes les carrières, civiles et militaires, soit au milieu des dissensions et factions, soit au milieu des camps. Ce que j'ai fait en France, et ce que l'Europe a approuvé, ce serait à Naples une singerie mal appliquée; laissez dormir cela. Quelque chose que vous fassiez, il n'est pas en votre pouvoir, avant que de grands événements illustrent votre pays, de faire oublier le passé et de faire dater les choses de l'époque actuelle.<sup>44</sup>

<sup>39</sup> *Corr.*, XV, 487.

<sup>40</sup> *Lecestre*, I, 190.

<sup>41</sup> *Corr.*, XX, 419.

<sup>42</sup> *Ibid.*, XXI, 265, 354.

<sup>43</sup> De Brotonne, *Dern. Lett.*, I, 447.

<sup>44</sup> *Corr.*, XXI, 333.

It is clear from these citations that the policy of Napoleon in regard to a titled aristocracy can be accurately weighed only after fuller examination. At present I am concerned only to point out that there is apparently nothing in this policy that casts doubt on the sincerity of his identification of himself and his régime with that uplifting of the non-noble classes that had been so manifest a result of the Revolution.

## II.

The other side of my subject is that of the legality or constitutionality of government in France in the Napoleonic epoch. The incompleteness with which the Napoleonic system and methods have as yet been presented is shown clearly by the haziness of our ideas on the exact treatment by Napoleon of the laws and the constitution. The ordinary assumption is, I think, that as this constitution and these laws were practically dictated by him, and as he had arrived at this position of dictatorship by a violent seizure of power, he continued to cast aside legal and constitutional restraints whenever it seemed desirable, and allowed the forms to have validity only when they did not trammel him. At the best, he is represented as being restrained only by the statesman's sense of the necessity of recognized limits and methods, and by the impulse to establish a government of order in contrast to the anarchy and arbitrariness of the preceding period.

Views of this sort are based largely upon the misrepresentations of his enemies after his fall; they find expression in the language in which the Senate that had been his chief tool demanded his abdication in 1814, or in the words of the pamphleteer who in 1815 charged him with substituting "ta volonté aux lois".<sup>45</sup> It is indeed easy to give to such a charge a large appearance of truth, and I have no intention of denying that Napoleon acted throughout in the conviction that the national sovereignty was deposited with him, and that its exercise could at any moment be extended by him to the constitutional documents themselves. Further there can be no question that through the police individuals were frequently arbitrarily deprived of the benefit of the law. But it will, I think, be found that most of these instances of arbitrary treatment of individuals or of classes (as in his taking the sons of leading families in France and in conquered countries as hostages), are in connection with the exceptional situations created by conspiracy or civil war, or are concerned with those whom, as officials, Napoleon regarded as having

<sup>45</sup> "Le cri de la France, par un propriétaire de domaines nationaux." *Arch. Nat.*, AD X. 21.

come into special relations with the administration or who were in a sense enjoying only a probationary citizenship (e. g., the *émigrés*). The power given to the Senate to annul judgments of the courts when they were dangerous to the security of the state was very infrequently used; such a power, however, implies no more than the claim as to royal prerogative made and exercised by Charles I., and in neither the one case nor the other does it necessarily indicate any large degree of illegality or unconstitutionality in administration.

As a matter of fact, the student of the Napoleonic administration will, I think, be surprised at the tenderness shown by Napoleon for the constitution, at the vigor and consistency with which he lays stress upon strict adherence to the laws and the legal conditions of their application. He may be said indeed to pose as a champion of legality. We can credit him, I think, with acting on the conviction that while it was essential that he should have in reserve an unquestioned sovereign authority, this authority should remain in abeyance as far as possible, and government should normally be administered with rigid legality. It was in this temper that he wrote to Fouché, September 20, 1809: "Je reconnais toujours dans vos actes la même marche; vous n'avez pas assez de légalité dans la tête."<sup>46</sup> We find him frequently raising the question of the exact interpretation of the constitution, ordinarily to be sure on points of comparative unimportance. In a decision of August 15, 1804, he declines to use fully his constitutional opportunities to further administrative ends, and remarks, "L'Empereur ne désire faire usage de la faculté de sa prérogative que dans les circonstances d'une plus haute importance."<sup>47</sup> In the same year he brings forward a constitutional objection to a development he is usually represented as having much at heart. It is in the note to the Council of State quoted above on the project of making *maires* and their adjoints *ex-officio* part of the municipal councils. "Comment", he asks, "accorde-t-on cette mesure avec le droit de surveillance du conseil sur l'administration de la municipalité?"<sup>48</sup> A little later he shows that he is ready to push on centralization as far as the constitution will allow; a note of May 2, 1805, to the Minister of the Interior on the matter of making presentations for vacancies in a departmental council declares that "L'Empereur n'est restreint par aucune clause constitutionnelle lorsque le conseil n'est pas complet."<sup>49</sup> In 1806 he requests a report on the justice of the peace of a certain

<sup>46</sup> *Corr.*, XIX, 535.

<sup>47</sup> *Ibid.*, IX, 471.

<sup>48</sup> *Ibid.*, X, 36.

<sup>49</sup> *Ibid.*, X, 364.

commune and asks to be informed "si j'ai le droit de le destituer".<sup>50</sup> That at times he was willing to recognize limits even to the imperial prerogative would seem to be indicated by the remark in a "Note dictée par l'Empereur pour le Ministre de la Police, du 13 Juin, 1810", with regard to Frenchmen who had served foreign powers against France, that "la loi est tellement précise et puissante qu'une décision même de l'Empereur ne pourrait les soustraire à son application."<sup>51</sup>

The rights of the subject are frequently upheld by the Emperor against official tendencies to ignore or diminish them. He writes to Fouché, March 5, 1807, with respect to an alleged illegal tax by a prefect: "Faites un rapport au Conseil d'État, pour qu'il soit pris des mesures sur cet objet, car enfin aucune taxation ne doit être faite sur les citoyens que par une loi."<sup>52</sup> In 1809 there came to a head the very important and long-undetermined question of the conditions of the expropriation by the state of private property; the vigor with which the Emperor defends private right against administrative encroachment is quite remarkable. August 21, 1809, he writes to Régnier, Grand Judge, that he had received many complaints about administrative abuse in this matter, and wished the subject investigated in the interests of the security of private property; "il est indispensable", he says, "que les tribunaux puissent informer, empêcher l'expropriation et enfin recueillir les plaintes et garantir le droit des propriétaires contre les entreprises de nos préfets, des conseils de préfecture et autres de nos agents, sous quelque dénomination."<sup>53</sup>

Two weeks later, on receiving the report from Régnier, he writes to Cambacérès to protest against Régnier's declaration that, while "expropriation forcée" without indemnity was a violation of the Code Napoleon, there was under the law no means of punishing officials for such a procedure, and demands that such punishment be

<sup>50</sup> *Ibid.*, XIV, 19.

<sup>51</sup> Arch. Nat., AD IV, 909.

<sup>52</sup> *Corr.*, XIV, 372.

<sup>53</sup> *Ibid.*, XIX, 376. It would seem as if this matter of expropriation had been long in an unsettled condition. At first the tendency seems to be to put it fully under administrative control, for the "Procès-verbal des Séances du Conseil d'État" of the 8 Floréal an X, (Arch. Nat., AF\* IV, 6) contains the following entry: "Le Ministre de l'Intérieur présente un Rapport sur la question de savoir si le droit d'expropriation forcée peut être donné aux Préfets par une autorisation du Gouvernement, sans qu'il soit besoin d'une loi." The report was recommitted. It would seem consequently that notwithstanding the advance of the power and absoluteness of the new régime there is to be remarked here a decided gain in legality; in 1809 the question is not whether the prefect can act without law, but whether he can be trusted to apply the law.



provided for. He declares that expropriation, as the acquisition of property, can be accomplished only through judicial channels, and that "je ne voudrais faire aucune différence pour l'administration." "Nos lois", he adds, "me paraissent un assemblage de plans mal assortis, inégaux, irréguliers, laissant entre eux de fréquentes lacunes, et j'attache une grande importance à joindre ces différents éléments, à n'en faire qu'un tout, afin de réprimer les abus de l'administration, qui, dans un si grand empire, peuvent être plus fréquents."<sup>54</sup> Nearly a month later he returns to the subject and informs Cambacérès that he is not satisfied with his memoir on the subject, that the interests of expeditious administration is not a valid objection to the leaving of the process to the courts, and that the legislative section of the Council of State is to prepare a project of law on this principle.

The consciousness shown by Napoleon in this matter as to the dangers of bureaucratic tyranny is frequently evident; especially does he seem to have been apprehensive of the power of the prefect. In 1801 the Minister of the Interior is informed that as some prefects "se croient autorisés à interpréter les actes du Gouvernement", as by extending the provisions of *arrêtés*, a general order is to be issued that when not given special latitude they must conform literally.<sup>55</sup> In 1806 a difficulty occurred between the *maire* of Dijon and the prefect of the department, and the Emperor writes to Champagny that the prefect has acted without tact or judgment.

La subordination civile n'est point aveugle et absolue; elle admet des raisonnements et des observations, quelle que puisse être la hiérarchie des autorités. . . . Les préfets ne sont que trop enclins à un gouvernement tranchant, contraire à mes principes et à l'esprit de l'organisation administrative. . . . L'autorité des préfets est trop considérable; il y a à en craindre l'abus plus que le relâchement; et, à cette occasion, vous ferez une circulaire aux préfets, pour leur faire connaître que je n'entends pas qu'ils impriment aucun arrêté contre les officiers municipaux et leurs subordonnés. C'est vous qui êtes juge des faits d'administration, et non la ville ou le département.<sup>56</sup>

March 7 of the following year, he writes to the president of the Section of the Interior of the Council of State with regard to an order by a military commander against citizens bearing arms (an order which is disapproved as beyond the official's power) that it is the aggressions of the prefects that have encouraged the military officials to such steps, and that such power could not be given even to the prefects since it would be to entrust them with such an au-

<sup>54</sup> *Corr.*, XIX, 438.

<sup>55</sup> *Ibid.*, VII, 29.

<sup>56</sup> *Ibid.*, XII, 311.

thority that "Le repos et la liberté des citoyens dépendront donc de l'exagération ou de l'arbitraire d'un simple administrateur." And, he adds, "Un intendant de département n'est point un vice-empereur; il n'a qu'une portion de l'administration générale; il n'a d'autre devoir que celui de procurer l'exécution des lois et des règlements."<sup>57</sup> On another occasion he points out that the prefects were not judicial officials as were the old intendants.<sup>58</sup>

It is, of course, undeniable that a good deal of the jealous watchfulness that Napoleon directs toward his officials springs from the instinct of the organizer, the good business administrator, from a sense of the necessity of maintaining the division of labor and of seeing that the different parts of the machine are occupied with the functions appropriate to them. It is perhaps primarily this point of view that he has when in 1806 he roughly admonishes his brother Louis of the necessity of keeping civil and military administration distinct. Louis had presumed in his capacity of Grand Constable to give orders in France; "Vous n'entendez rien", the Emperor tells him, "à l'administration civile, et la France ne marche pas ainsi. . . . L'administration militaire n'a rien à démêler avec l'administration civile. Si vous gouvernez ainsi votre royaume sans aucune division d'autorité, ce sera un vrai chaos."<sup>59</sup>

But, ordinarily, much more than this was in the Emperor's mind, and it is worth pointing out that he constantly enforced upon the military profession a respect for civil life and interests that in that age were only too easily forgotten. While on one occasion he writes to Fouché that the butcher who had insulted a soldier must be severely punished, as "L'excès auquel il s'est porté est le plus grand crime que puisse commettre un citoyen",<sup>60</sup> almost all his references to these relations show his solicitude in the other direction. I have pointed out above his defense of the civil right to bear arms against military prohibition, as also his strong disapproval in 1804 of the intimidating attitude of a military commander in regard to an electoral college. The superiority under normal conditions of the civil authority is consistently enforced, as when he writes to Maréchal Monecy that the *gendarmérie* must be "à la disposition des préfets, comme supérieurement chargés de la police des départements", that for it to be under military control would prevent unity and order.<sup>61</sup> In 1808 he writes to Fouché with refer-

<sup>57</sup> *Corr.*, XIV, 401.

<sup>58</sup> *Ibid.*, XIX, 438.

<sup>59</sup> *Lecestre*, I, 79.

<sup>60</sup> *Corr.*, XI, 10.

<sup>61</sup> *Ibid.*, X, 279.

ence to some outbreaks on the part of the cadets of the military academy at Metz that "le premier devoir de ces jeunes gens est le respect à l'autorité civile."<sup>62</sup>

The question of the legality of Napoleon's temper and administration is not to be completely or satisfactorily dealt with without following in some degree his relations with the judiciary, his conduct with respect to the application of the law in individual cases. If he had the courts sufficiently in his power he could afford to frown upon administrative disregard of the law; if he interfered with the application of the law by the courts it would evidence an even more illegal and dangerous attitude than any degree of support to administrative independence of the law. An intelligent government, we may suppose, is led into arbitrary courses only when the courts (as well as the legislature) are inconveniently independent, and it cannot rely on being able to secure judicial modifications and exceptions. Possession of the power of securing such judicial exceptions and modifications is further manifestly a relative matter; every executive is vested with more or less pardoning or commuting power and is thus regularly possessed of a large measure of judicial authority.<sup>63</sup>

The temptation for the executive power to interfere with the courts will depend further on the degree in which the executive is vested with legislative control and with means of pressure on judges; a government that monopolizes legislative initiative and can pass the laws it wants, or which can intimidate the judges through the power of dismissal, manifestly can afford to allow a more or less free course to the ostensible operations of the courts.<sup>64</sup> But these

<sup>62</sup> *Corr.*, XVII, 119.

<sup>63</sup> That this ordinary executive power was recognized in the Napoleonic régime as being under restraint is shown by the following entry from the "Procès-verbal de la Séance Extraordinaire des Consuls, du 10 Nivôse an VIII": "Il est fait lecture d'un mémoire relatif aux individus déportés et condamnés pour opinions politiques. Renvoyé à la section de législation du Conseil d'Etat, pour examiner si pour appliquer à ces individus l'amnistie ou le pardon individuel le gouvernement a besoin de l'autorité de la loi." Arch. Nat., AF IV, 911.

<sup>64</sup> The Napoleonic judges were appointed for life, though after 1807 a probationary period of five years was required. How far the early government was from assuming a complete control of the judiciary is indicated by some extracts from the "Procès-verbaux des Séances des Consuls" of 1801. On the 2 Frimaire we read: "on renvoya au Conseil d'Etat, section de la législation, l'examen de la question suivante: dans un pays mis hors de la constitution par une loi, le Gouvernement peut-il interdire les juges et en nommer d'autres?" On the 9 Frimaire the Secretary General of the Conseil d'Etat presented "une décision du Conseil d'Etat portant que dans les lieux où l'empire de la constitution est suspendu le Gouvernement peut suspendre, mais non destituer les juges." Arch. Nat., AF IV, 911.

distinctions do not perhaps carry us very far, especially in the case of a government with indefinite prerogative; the present question is as to whether Napoleon were an arbitrary or a legal despot, whether he did or did not recognize the Reign of Law as well as a division of powers, to what degree he conceded rights to the subject and left unimpeded the enforcement of these rights by the courts. The foregoing pages have shown that he did recognize such rights and did attempt to prevent administrative encroachment on them; it will be found that he did also repel any interferences with the judiciary on the part of administrative officials, and was but rarely guilty of such interferences himself.<sup>65</sup>

In scrutinizing this part of the Napoleonic régime it must be conceded that in an even greater degree than with respect to other parts, the right to make general assertions depends upon an exhaustive tracing of the course of justice. Such an examination is perhaps impossible and certainly is not claimed here; a large amount of material, however, has been used, and, as it extends over the whole period, it seems reasonable to treat it as representative. The instances of references or appeals by Napoleon to his constitutional relations to the courts are numerous, and, while they show him at times anxious to make the most of his powers, they rarely indicate an effort to overstep them.

I will take up the most significant of these instances chronologically. In 1800 he requests from the Minister of Justice "un rapport sur la manière dont on pourrait faire casser le jugement qui condamne seulement à six ans de fers les trois assassins du courrier de Nantes, pris en flagrant délit".<sup>66</sup> The government was at this time desperately contending with brigandage, and interference with the judgment might well have seemed essential. A still more exceptional situation was presented by the conspiracies so frequently discovered or suspected, and the method in which exceptional measures were taken in regard to them is indicated by the following extract from the deliberations of the Conseil d'État of the 11 Nivose an IX. The Minister of Police had demanded exceptional measures against certain conspirators; in reply, the council

<sup>65</sup> One side of the relations between the judicial and administrative officials is dealt with in the "Avis du Conseil d'État sur la Correspondance des Magistrats . . . avec le Maires et les Commissaires de Police", of August 26, 1806; this contains the statement that the interference of the prefects is "très-contraire à l'ordre public", and that "si les municipaux comme administrateurs ne sont comptables de leurs faits qu'à l'administration supérieure, il sont comme officiers de police, sous la surveillance et l'autorité immédiate des magistrats des cours de justice criminelle." Arch. Nat., AD I. 86.

<sup>66</sup> *Corr.*, VI, 480.

considers whether such a step should be "un acte de haute police du Gouvernement ou être convertie en projet de loi", and resolves that the council

est d'avis que l'acte de haute police dont il s'agit, n'est pas de nature d'être l'objet d'une loi. Néanmoins, le conseil, considérant que cet acte étant un acte extraordinaire et ayant pour objet le maintien de la constitution et de la liberté publique, est, pour cela même, de la compétence spéciale d'un corps qui, par l'esprit de son instruction, doit veiller à tout ce qui intéresse la conservation du pacte social; que d'ailleurs, dans un cas comme celui-ci le référé du Gouvernement au Sénat conservateur, pour provoquer sur ses propres actes l'examen et la décision de ce corps tutélaire, devient, par la force de l'exemple, une sauve-garde capable de rassurer, pour la suite, la nation, et de prémunir le gouvernement lui-même contre toute acte dangereux à la liberté publique, est d'avis que cet acte du Gouvernement. . . doit devenir la matière d'un Sénatus-consulte prononçant sur la question de savoir si cette mesure est conservatrice de la constitution.<sup>67</sup>

The act in question was the transportation of 131 accused. This procedure, of course, brings forward the question of the degree in which the Senate, by virtue of its discretionary power of annulling judgments in the interests of the public security, was manipulated as a means of setting aside judicial restraints. It can, I think, be confidently asserted that the Senate was used in this way only under the most exceptional conditions and when there was at least some color for the idea that the safety of the state was involved.<sup>68</sup>

In 1801 we find Napoleon directing the Minister of the Interior to make a report as to whether the justices of the peace must be residents of their districts;<sup>69</sup> he was strongly opposed to such a restriction but apparently does not think of overriding it. To this institution (which remained elective till 1802), he shows himself hostile from the first, and he soon proceeds to modify it by law. April 7, 1802, he writes to the Minister of Justice that, as the nominations of the justices have been very bad, and, as the constitution says that they should be elected by the people, "il convient, pour y remédier, de prendre des mesures qui paraissent efficaces, et qui seraient de les réduire à leurs fonctions de conciliation et de ne pas les payer."<sup>70</sup> But as late as the end of 1806 he was still evidently scrupulously respecting the institution, for December 2 we find him requesting from the Minister of Justice a report on the justice of

<sup>67</sup> Arch. Nat., AD I, 86.

<sup>68</sup> It will be remembered that a prominent place was given to a senatorial commission appointed to safeguard the liberty of the subject. Of its work I have as yet no records.

<sup>69</sup> *Corr.*, VII, 321.

<sup>70</sup> *Ibid.*, VII, 431.

a certain commune, and "que vous me fassiez connaître si j'ai le droit de le destituer".<sup>71</sup> Napoleon, doubtless, mainly disliked the direct popular nomination of these officials, and he soon did away with it; on the other hand, we find him constantly upholding trial by jury. There were occasional suspensions of the jury in localities where public sentiment was suspect and political issues likely to appear; but, as late as June 24, 1808, he writes with respect to the Westphalian constitution: "On peut supprimer le jury d'accusation, mais il faut maintenir le jury de jugement dans son intégrité; il le sera en France, parce que c'est une bonne chose et que la nation le désire."<sup>72</sup> He remarks at the same time that while the Italians are now "trop passionnés" for the institution, "aussitôt que le nouveau système français sera conçu, je l'adapterai de même à l'Italie", and adds with respect to the opponents of the institution, "Ceux qui veulent la publicité sans jury et sans appel disposent légèrement de la vie des hommes."

We have above seen Napoleon seeking in 1800 means of setting aside a too moderate judgment; in July, 1803, he responds to the request of a prefect for the punishment of an individual wrongfully acquitted, that "La déportation ne peut point être ordonnée, cet individu ayant été acquitté."<sup>73</sup> In 1805 the Minister of Justice is informed that the Emperor is very dissatisfied with the tribunaux and with the *procureurs généraux*; and it is intimated that steps may be taken against one of the latter, for "si je ne suis point maître des tribunaux, je le suis de la nomination de mes procureurs généraux."<sup>74</sup> In 1809 Régnier is directed to express the imperial satisfaction with the officials of the criminal court of Rouen for resisting pressure to show favor to criminals of distinguished family; "La loi", Napoleon says, "est une pour les citoyens, et la considération de la naissance et de la fortune ne peut jamais être, pour Sa Majesté et les magistrats, un motif pour faire fléchir la justice et même pour faire grâce; au contraire, elle rend ceux qui les commettent d'autant plus coupables qu'ils ont un rang distingué dans la société."<sup>75</sup>

There are indeed indications that toward the end Napoleon was tending to assume a higher hand with reference to the judiciary. A *sénatus-consulte* of October 12, 1807, makes provision for a period of probation for judges before life-appointment, and for an examination of the lists of existing judges to eliminate the unworthy. By

<sup>71</sup> *Corr.*, XIV, 10.

<sup>72</sup> *Ibid.*, XVII, 328.

<sup>73</sup> *Ibid.*, VIII, 407.

<sup>74</sup> *Ibid.*, XI, 27.

<sup>75</sup> *Ibid.*, XVIII, 204.

this it was reserved to the Emperor "de prononcer définitivement sur le maintien ou la révocation des juges désignés dans le rapport de la commission";<sup>76</sup> In November, 1810, the Emperor sends to Cambacérès a proposition that "les ministres d'état, qui sont les vétérans de l'administration . . . fussent conseillers honoraires des cours impériales";<sup>77</sup> that their participation was to be more than honorary is shown by the remark that the presence of such men as Treilhard and Regnaud would be very advantageous in an important impending case. But it is evident that this idea, if at all definite, had a limited and political bearing, and can scarcely be supposed to indicate any intention of tampering with the ordinary administration of justice in France.<sup>78</sup>

The only instance of direct interference with the courts disclosed by the material used<sup>79</sup> is with regard to an imperial court at Antwerp in 1813, in a case in which the city (or rather the departmental administration) had failed in a prosecution of alleged corrupt *octroi* officials. Napoleon writes, August 5, to Cambacérès that the affair is "un scandale public", and, August 14, says that "Aux circonstances extraordinaires il faut des mesures extraordinaires; nos constitutions y ont pourvu." On the same day he writes to the Minister of Justice of the shameful corruption shown by the jurors, and proceeds, "Dans cette circonstance, quoiqu'il soit dans nos principes et dans notre volonté que nos tribunaux administrent la justice avec la plus grande indépendance, cependant, comme ils l'administrent en notre nom et à la décharge de notre conscience, nous ne pouvons pas ignorer et tolérer un pareil scandale, ni permettre que la corruption triomphe et marche tête levée dans nos bonnes villes de Bruxelles et d'Anvers." The Minister is, therefore, to order proceedings

<sup>76</sup> Arch. Nat., AD I. 44.

<sup>77</sup> *Corr.*, XXI. 269. The *cours impériales* were the courts of appeal.

<sup>78</sup> In a "Note dictée par l'Empereur pour le Grand Juge, Ministre de la Justice" of December 11, 1810 (Arch. Nat., AF IV. 909), we find the following order: "Le Grand Juge fera mettre en accusation sur les nouvelles charges l'homme qui ayant blessé un gendarme qui en perdu la jambe a été acquitté par le tribunal de Namur. Aussitôt que le Directeur du jury aura décerné le mandat, le Grand Juge ordonnera que la procédure soit envoyée à Paris, et en rendant compte de le Renvoi il proposera de traduire le prévenu devant une commission militaire, attendu que le gendarme blessé était connu pour gendarme par son assassin, que le jury est soupçonné de corruption, et qu'il s'agit d'un pays nouvellement français." This procedure seems unquestionably arbitrary; and it will be remembered that earlier Napoleon had seemed solicitous to keep the police free of military authority. But there is some doubt as to whether this order were really dispatched. It does not appear either in the *Correspondance* or in the *Supplements*.

<sup>79</sup> It is rather noticeable that the official publication of the *Correspondance* makes no reference to this affair; the letters to Régnier and Cambacérès are to be found in *Lecestre*, II. 277-283.

against the jurors, the suspension of the judgment and the re-arrest of the accused; then "en vertu du paragraphe 4 de l'article 55 du titre V des Constitutions de l'Empire, en date du 4 août 1802", he is to present to the Council of State "un projet de sénatus-consulte, pour annuler le jugement . . . et renvoyer cette affaire à notre Cour de cassation, qui désignera une cour impériale par-devant laquelle la procédure sera recommencée et jugée, les chambres réunies et sans jury." It will be noticed that though the Senate had power to issue a *sénatus-consulte* of this nature, the Emperor was straining his prerogative in imposing on it and on the courts a definite course of procedure, involving suspension of jury-trial. This incident, however, was in every way exceptional, and involved peculiar features of the French administration in Belgium; the Emperor's indignation was based upon police-reports, and seems to be aroused mainly in the interests of the people of Antwerp. The case was referred to the court of appeal of Douai, but the Empire had fallen before a decision was rendered.<sup>80</sup>

I shall not attempt to add any further reflections to the foregoing recital of evidence. More extended investigation will very probably modify the preliminary conclusions indicated above; but it does not seem premature to maintain that Napoleon Bonaparte recognized his government to be based upon the Revolution, that he administered France for the most part in harmony with revolutionary principles and results, and that as compared with both the Revolution and the Old Régime his administration was distinguished by a respect for law. He claimed to be invested by the popular will with absolute but responsible power for the organization of the state, for the using of its resources in the general welfare, and for its defense against its enemies; but he respected his own organization, normally treated the law and the constitution as inviolable, and protected the well-defined liberties and opportunities of the citizen. These liberties and opportunities were in truth subject to such far-reaching restrictions as were involved in the strict censorship of the press and the prohibition of political agitation; but it might not be easy to meet adequately the defense that we may suppose Napoleon would make in pointing out that the effects of the previous license demanded at least a period of restraint.

VICTOR COFFIN.

<sup>80</sup> See *Revue des Questions Historiques*, LVI, 248-271, "Un Préfet Indépendant sous Napoléon. Voyer d'Argenson à Anvers."



## SOME PROBLEMS OF SOUTHERN ECONOMIC HISTORY<sup>1</sup>

THERE are four primary factors in Southern economic history—the institution of slavery, the negro, the white man and physiography. Within the limits of this paper I shall only attempt to suggest certain lines of thought which have occurred to me in connection with a study of the relative influence of these factors in the economic life of the Southern States.

The time has come when we must study slavery as an economic institution without regard to its ethical or political aspects. I do not mean at all that the latter are to be ignored, but simply that the different phases must be considered separately, if we are ever to ascertain the actual effect of slavery upon the purely industrial side of Southern history. It must be studied as dispassionately as the history of the tariff is studied. Looked at from its economic side, we find at present certain fairly definite attitudes assumed by historians toward the institution. These views have become crystallized into traditions, and are accepted as mere matters of course by nearly all modern writers on ante bellum conditions.

Under this traditional treatment slavery is held responsible for everything in Southern economic life and development which in any way differed from the economic life and development of the non-slaveholding states. For example: it is traditionally responsible for the fact that foreign immigration did not seek the South; for the fact that Southern manufacturing enterprise lagged behind that of the rest of the country; to it was attributed an alleged contempt for manual labor on the part of white people, which brought labor into disrepute and prevented white people from doing their share of such work; the difference between the respective values of Northern and Southern farm-lands, and the wasting of the latter, were charged to slavery; the use of crude and heavy farming implements was considered an inevitable incident of slave labor, hence also the backwardness of the South in adopting improved farm machinery.

<sup>1</sup> In condensed form this paper was read at the Madison meeting of the American Historical Association, December, 1907. It is an outgrowth of the writer's work as a collaborator of the Department of Economics and Sociology of the Carnegie Institution. For many courtesies I am indebted to Mr. C. S. Sloane, of the Bureau of the Census, and to Miss E. L. Yeomans for the tabulation and verification of figures.

The catalogue could be almost indefinitely extended. All these things were the result of slave labor, ergo, if slavery were abolished such conditions would disappear and under the stimulus of free labor we should see the South approximate the economic life of the North. Slavery was abolished, the South has made tremendous progress, and the predictions of ante bellum writers and travellers have been fulfilled.

My position is that in the first place we do not yet know enough about the internal economic conditions of the ante bellum South to say just what the exact status of such development was at a given period. One of the problems which confronts the student is to lay the foundation of a real knowledge of Southern ante bellum economic life. In the second place, I question the validity of the proof that the economic progress of the South since the war has been more rapid than it would have been had slavery not been abolished. I also question the accuracy of the popularly accepted idea that there has been an economic revolution in the altered relative status of the South and the rest of the country since the Civil War. The common practice in considering the progress of the South is to lose sight of the even greater progress of the rest of the country. If the abolition of slavery caused the progress of the South, what caused the progress of the sections which had not felt "the economic blight of slavery"? The increased cotton production of the South since 1860 is no more attributable to the abolition of slavery than is the increased wheat production of the Northwest during the same period.

Again, if we find that there was a condition of relatively great economic backwardness in the South, to what is it to be attributed? The greatest problem in Southern economic history is that of determining the relative responsibility for its economic condition of the factors of race and of racial status. Was slavery primarily responsible, or was the fact that the slave was of a race of a normally low economic status?

Here we are confronted with the necessity of realizing the fact of a difference between slave labor and the slavery system. The economics of slave labor, *i. e.*, the labor per se, as controlled by a certain recognized system, has to do with the primary question of the adaptability of such labor to certain industrial pursuits, and with the secondary question of the purely productive efficiency of such labor in the fields to which it was adapted. The economics of slavery, *i. e.*, of the economic system developed for the control of a certain class of labor, has to do not only with the elementary

questions just stated but also with such further considerations as the ultimate and larger effect on the economic life of the community of the locking up of capital in controlled labor, the other avenues of employment which such capital might have found or developed, and the relative potential wealth-producing capacity of capital thus differently employed.

It is only after we have determined these questions that we can measure the relative importance in Southern economic development of the racial and institutional elements in Southern negro slavery. It is only then that we can even approximately determine the part played by slavery as an institution in the economic history of the South and of the nation.

I shall not attempt to answer these questions. I merely advance them as suggesting proper fields of inquiry for such students of Southern economic history as may not be willing longer to follow in the beaten path of those, however eminent, who have interpreted everything in Southern life in terms of a single economic institution.

But while I am not yet willing definitely to commit myself to certain tentative conclusions of my own, I recognize the propriety of suggesting some of the grounds upon which I venture to question the validity and accuracy of the accepted conclusions of others.

A stock argument of those who attack slavery on its economic side is the difference between the value of farm-lands in the slave and in the free states. Page 170 of the *Compendium of the Census of 1850* is a reference which is almost as sacred to some writers on slavery as the doctrine of predestination is to an old-school Presbyterian. Apparently, investigation stopped right there. We seem to have accepted as a matter of course that the contrary condition which was to follow abolition has been accomplished. As a matter of fact, the greatest decennial increase in Southern farm-land values which has occurred since 1850 was reached under slavery in 1860. In the latter year the average value per acre of farm-land and improvements was \$10.19 in the Southern States, \$23.68 in the New England States, and \$20.04 in the Central States.<sup>2</sup> After the expiration of forty years the value of Southern farm-lands had fallen in 1900 to \$8.96 per acre, while the New England States had increased to \$25.71, and the Central to \$37.52.

<sup>2</sup> Throughout this paper the states which are designated Southern are Alabama, Arkansas, Florida, Georgia, Kentucky, Louisiana, Maryland, Mississippi, North Carolina, Oklahoma, including Indian Territory, South Carolina, Tennessee, Texas, Virginia and West Virginia. The Central are Illinois, Indiana, Iowa, Michigan, Minnesota, Missouri, Ohio and Wisconsin. The New England are Connecticut, Maine, Massachusetts, New Hampshire, Rhode Island and Vermont.

One of the severest economic indictments drawn against the entire Southern industrial system by ante bellum writers, and one constantly repeated by present-day economists and historians, was that it retarded the development of manufacturing industry. In the growth of Southern manufactures in recent years, the Northern writer finds proof conclusive of the soundness of the ante bellum contention, while the Southern man concedes that in this respect at least the argument was incontrovertible. But here again for more than forty years we seem to have been content to accept surface indications as established proof.

If we concede the fact as to the ante bellum condition, where does responsibility for the condition properly fall, on slave labor or on the slavery system? If on the former, we are confronted with the fact that the abolition of slave labor did not alter the occupation of the slave. There were relatively no more negroes employed in manufacturing after emancipation than before. In fact the negro lost ground in some branches of manufacturing industry. At least a few cotton mills were operated with negro labor before the war, whereas no negroes are so employed today. With reference to slave labor, then, the class which were slaves have not been associated with the development of the one branch of manufacturing in which the South has made its greatest progress, while with reference to the slavery system neither responsibility nor absence of responsibility is clear. The history of ante bellum Southern manufacturing has not been written yet. When it is, evidence may be found to indicate that if its progress had not been checked by the war its development might easily have been as great under the continued existence of slavery as after its abolition. It was not a question of slavery, *per se*, but simply one of overcoming economic inertia, common to all long-established business conditions, and of accomplishing a diversion of capital into other channels. But even as the matter stood, the Southern States in 1860 contributed 12.5 per cent. of the total value of the manufactured products of the country.

As with manufactures, so with the important basic product of pig iron. We are still being told how impossible it was for the iron industry of the South to be developed with slave labor, while the growth of recent years is a matter of common knowledge. Yet we have the authority of Mr. Edwin C. Eckel, late of the United States Geological Survey, for the statement that the South today contributes a smaller percentage of the total American pig iron output than it did in 1854. In that year the Southern States con-

tributed 12 per cent. of the total. After numerous fluctuations during the intervening fifty-three years this had fallen in the first half of 1907 to 10.5 per cent.<sup>3</sup>

Here again we cross an apparently fixed tradition as to the economics of slavery, namely that this particular system of industrial organization was inherently limited to agricultural operations, and even to one specific type of such operations. Because mining was not a highly developed industry in the slave states, notwithstanding the existence of abundant mineral resources, the crude conclusion was that slavery was the cause behind the fact. There is no greater fallacy than this. Negro slave labor was originally transferred from Spain and gained its first foothold in America for the sole purpose of working the mines of Hispaniola. There is no warrant in fact for the opinion that mining would not have remained the chief occupation of such labor had the mines themselves not become exhausted. It is a feature of the natural economy of the earth that through the restricted distribution of minerals agriculture is a much more widely diffused, a much more general, industry than mining. It is a gratuitous assumption that slave labor is not as well adapted to the one as to the other. In so far as negro slave labor per se is concerned, we can still study it as applied to mining operations in the use of convicts in the coal-producing territory of Alabama and Tennessee. The mines of those states could have been developed as efficiently with the purchased and controlled labor of negro slaves in 1850 as with the purchased and controlled labor of negro convicts in 1900. The per capita production of one class would have equalled the production of the other, and this is the prime feature as far as the labor itself is concerned. As to whether the ton cost and profit of production would be greater or less under one system of control than under the other, or greater under a free labor system than either, is a question which concerns the relative ultimate advantages of the combined features of the respective systems, and should not be confused with the potential producing capacity of the labor itself.

Probably the greatest economic argument against slavery was that it caused immigrants to shun the Southern States. Thorold Rogers declared in 1888 that European immigration was worth £100,000,000 a year to the United States, and that slavery had deprived the ante bellum South of its share of this tremendously valuable importation. I know of no writer on the economic aspects

<sup>3</sup> *Manufacturers' Record*, August 22, 1907, p. 145. The figures for the second half of the year were not available when Mr. Eckel wrote.

of Southern slavery, from Cairnes to Rhodes, who has not insisted upon the same explanation of the course of the tide of foreign immigration, which set away from the South. Yet in 1860 the Southern States contained 9.0 per cent. of the total foreign-born population of the country, while in 1900, thirty-five years after the removal of the commonly accepted ante bellum cause, the percentage had fallen to 5.2. In 1860, of the total population of the South 3.4 per cent. were of foreign birth, while in 1900 only 2.2 per cent. were foreign born. In 1860 the New England States contained 11.3 per cent. of the total foreign born of the country, and 14.0 per cent. in 1900. The Central group contained 36.8 per cent. of the total in 1860 and 35.3 per cent. in 1900. Of the total population of New England in 1860, 15 per cent. were foreign born, and in 1900, 25.8 per cent. Of the total population of the Central States 17.0 per cent. were of foreign birth in 1860, and 15.8 per cent. in 1900.

It is, however, more interesting to examine the respective numbers and rates of increase of the Southern foreign-born population, before and since the abolition of slavery, without reference to what existed or took place along the same line in other parts of the country. The actual number of foreign born in these states in 1850 was 231,494, and in 1860 it was 370,783. This represented an increase of slightly more than 60.0 per cent. of foreign born during the last decade of slavery. In 1900, forty years after 1860, the foreign-born population of the South was 539,756. This represented a gain during the thirty-five years succeeding the war only 29,684 in excess of the gain during the ten years which had preceded it. It represented an increase of only 45.5 per cent. during the post bellum generation, as against the 60.0 per cent. just stated for the ante bellum decade.

It is also worthy of consideration that the states of Kentucky, Louisiana, Mississippi, South Carolina and Tennessee contained a smaller foreign-born population in 1900 than in 1860. In these five Southern states the aggregate number of people of foreign birth was 46,137 greater five years before slavery was abolished than it was thirty-five years after. It is significant that during the period of this decline in the actual number of foreign-born white persons in these states, there was an increase of 1,386,421 negroes.

As between the economic condition of the South and other sections of the country, I believe that practically all, certainly the far greater part, of such differences as once existed and do now exist, aside from such as are inherent in soil and climate, were and are embraced in differences of population.

It is population which creates the artificial differences between a prairie-dog village on a barren waste in 1800 and a city of two millions on the same spot a century later. In less extreme illustration, but no less true, it is population which lies at the foundation of the artificial differences of economic and social condition between a Southern state with a density of 10.5 persons per square mile and a New England state with a density of 21. It is physically impracticable to develop a successful rural public-school system in a thinly settled country district in which the children are few and scattered, whereas it is entirely feasible in a section thickly populated. Yet how much easier and simpler it was for the traveller in the South in 1859 to charge the absence of rural schools to slavery, as the most obvious and novel feature of the landscape to the stranger, than to go to the real root of the matter and ascertain what were the actual controlling differentiating factors between the sections or the countries which he was contrasting. Charles Dickens sinned as greatly against the light and against common sense in criticizing and ridiculing America in contrast with England in 1842.

In 1830, a generation before the Civil War, the aggregate population of the Southern States was 6.4 persons to the square mile. At that time the density of the Central States was much less than the Southern, being but 3.6. In the same year New England averaged 31.5 persons to every square mile of its area. The Central group gained so rapidly on the Southern that at the end of the next decade, in 1840, their density was only .3 less than the latter, being 7.5 and 7.8 respectively. At no time since have the two been as close together. The New England States in 1840 had a density of 36.1. In 1860, New England had increased to 50.6 per square mile, the Central States to 20 and the Southern, Texas having been annexed, to 12.5. The density in the South at the outbreak of the Civil War was 19 per square mile less than that of New England thirty years before. Yet men wrote, and still write, as if all the ante bellum differences of development and growth between these two sections were solely attributable to the existence of slavery, *per se*, in one of them, and its non-existence in the other.

The census of 1900 showed a density of 90.2 persons in New England, 51.5 in the Central group and 27.4 in the Southern group. In other words, the aggregate population of the territory embraced within the Southern States in 1900 averaged 4.1 fewer persons per square mile than the population of New England averaged in 1830, seventy years before. The excess of density of New England over the South had increased in this seventy years from 25.1 persons in

1830 to 62.8 in 1900. The excess of the Southern over the Central group of 2.8 in 1830 was converted in 1900 to an excess of 24.1 in the Central over the Southern, and these figures are for the aggregate population of these groups. The differences are greatly increased if we consider their respective white populations alone. A statement of the respective densities by races also sharply emphasizes the numerical insignificance of the negro population in the New England and Central groups. With an aggregate density of 31.5 in 1830, New England's white density was 31.2. The aggregate and the white in the Central States was 3.6 and 3.5 respectively. In the South the total was 6.4, which fell to 3.9 with the negro eliminated. In 1860, New England's total of 50.6 remained 50.2 for the white; the Central's total of 20 was 19.6 for the white; the South's aggregate of 12.5 fell to 7.8 for the white. In 1900, the total negro and white densities, respectively, were for New England, 90.2 and 89.2; for the Central States 51.5 and 50.5; for the Southern 27.4 and 18.4.

This difference of density, both total and for whites only, suggests another important though wholly ignored consideration as between the South and other parts of the country, and one with which slavery was not concerned. We must go below the surface of mere figures of population, and even beyond the analysis of distribution and density, if we would grasp the true significance of the figures themselves in their relation to economic conditions.

In 1874 Dr. Edward Jarvis, of Massachusetts, delivered a suggestive address on the "Political Economy of Health".<sup>4</sup> He stated the truism that "the effective force of the nation is not represented by the total number of the people, but by the number in the effective or producing age, and this is again qualified by the burden of supporting the dependent classes." He declared the strength of the state to be the sum of all its effective people, the strongest state being the one with the largest proportion of its people in "the sustaining period" of life, which he placed between the ages of twenty and seventy. He showed that in all the United States 49 per cent. of the white population were in the sustaining period of life, with 51 per cent. in the dependent class, while 44.78 per cent. of the colored population were supporters, against 55.22 per cent. of consumers. He found a wide difference between the Northern and Southern states in this vital respect. In Vermont the sustaining class was 53 per cent. and in Massachusetts, owing, he said, to im-

<sup>4</sup> Edward Jarvis, "Political Economy of Health", pp. 335-338. (Reprinted from the *Fifth Annual Report of the Massachusetts State Board of Health*, Boston, 1874.)



migration in part, this class was 56.8 per cent. On the other hand, the sustaining classes in North and South Carolina were only 46 per cent., and but 47 per cent. in Georgia. He said that the proportion of the sustaining class in Massachusetts exceeded that of the white population of the Carolinas and Georgia by 38 per cent., while a comparison of the sustaining power with the burden laid upon it, showed the demand to be 50 per cent. greater on the whites of the Carolinas, and 60 per cent. greater on those of Georgia, than it was on the white population of Massachusetts.

There was probably no more eminent authority in the United States in his time than Dr. Jarvis, and I should hesitate to attempt to add anything to the value of his figures. But familiarity with the conditions of industrial organization in the South justifies me, in my own calculations, in changing the basis of comparison which he adopted. It seems to me fairer, and preferable, to make the inquiry on a basis of "wealth-creating", or "contributing", periods, rather than on an assumed self-sustaining period. Dr. Jarvis's maximum age limit of seventy years is sufficiently high for either purpose, but his minimum of twenty is not low enough for my inquiry. The necessity for agitation for child-labor legislation suggests that twenty years is too high a figure to adopt in such a calculation even in manufacturing states. In agricultural states it is certainly too high. This was peculiarly true of agriculture under the slave-labor system, a feature of which was that it provided some form of employment for nearly all ages. To be on safe ground, in studying the figures for 1860 and 1900, I have reduced Dr. Jarvis's minimum age to 15 years, and have considered such wealth-creating period as from 15 to 60 inclusive. For purposes of comparison only, as between different parts of the country, the net results suggest that his conclusions would hold as well with fifteen as with twenty.

In 1860, of the total population of the United States, 57.9 per cent. were within this contributing period; of the white population, 58.6 per cent. fell within it; of the negro, 54.0 per cent. In the Southern States 55.1 per cent. of the white population were in this period, as against 64.3 per cent. of the white population of New England. Of Southern negroes 53.7 per cent. were within these ages, as against 65.1 per cent. of the negroes of New England. In New England 64.3 per cent. of the total population were in this group, the same percentage as for the white population alone; in the South it contained 54.6 per cent. of the total population.

In 1900, of the total population of the country, 63.0 per cent.

were within the potential producing period of life; in the New England States 68.8 per cent. were within that period; in the South only 57.8 per cent. Thus the percentage in New England had increased from 64.3 per cent. to 68.8 per cent. while in the South it had increased from 54.6 per cent. to 57.8 per cent. Of the white population of the United States in 1900, 63.7 per cent. were within this period; with 68.7 per cent. of the whites of New England, and 58.6 per cent. of the Southern whites. Of the total negro population of the country, 60.6 per cent. fell within these ages, while the percentages of the total negro in New England and the South, respectively, were 81.9 and 56.7.

We see here the effect of the immigration of both foreign whites and native negroes to the New England States. The former gave to these states a large population of men and women in the wealth-creating and sustaining period of life. The immigrant who left Europe was neither the dependent child nor the helpless old man. And therein lies the greatest potential economic value of that class of population. It secures to a state, a section or a country a people within the ages of greatest productive activity. The contrast between the negro population of New England and of the South is even more marked. It suggests the effect of the immigration from the South of negroes who probably were in the self-supporting ages, and who left behind both the old and the young as burdens upon the negroes who remained. And the difference was more pronounced in 1900 than in 1860.

But the true significance of such figures in a study of the economic life and development of the Southern States relative to that of New England, to continue to use these two groups in comparison, can only be appreciated when we adopt Dr. Jarvis's mode of expressing the burden which the dependent classes were upon the contributing. This was done with his figures by ascertaining the number of persons in the dependent age for each 1000 persons within the sustaining ages. These dependent persons constitute the dead load which the sustaining class has to carry. He did not compare the sections as wholes, but, writing in 1874, he showed, for illustration, that the "burden" on the white population of Georgia was 60.0 per cent. greater than on the white population of Massachusetts.

Using our own figures, and comparing the dependents with the partly-sustaining or contributing group, we find that in the United States in 1860, for the total population, there were 728 dependent persons to each 1000 of contributing age. In the New England

States the number of dependents was 554, or 174 less than the number for the entire country; in the South the number was 832, or 104 more than for the entire country. In comparing the white population of the country and of the two sections, the contrast is emphasized. In the United States in 1860 there were 707 white dependents per 1000 of contributing age; in New England 554; in the Southern States 815. This difference becomes even more marked in the case of the negro population. The number of dependents in this class was 851 for the United States, 539 for New England, and 862 for the South.

By 1900 there was a reduction in the proportion of dependents of both races, in all sections of the country. But the decrease was greater for other sections than for the South, and the difference of burden as between the total population of the New England and the Southern States, was slightly greater than in 1860. The proportion of dependents to 1000 contributing, for the entire population in 1900, was 587; for New England it was 454; for the South it was 720. For the white population the number was 571 for the whole country, 456 for New England and 706 for the South. For the negro population there were 649 in the entire country, 223 in New England and 762 in the South.

Adopting Dr. Jarvis's method of expressing this difference of economic burden in percentages, we find that for the entire Southern population in 1860 the burden upon the wealth-producing portion was 50.2 per cent. greater than the burden upon the same portion of the population of the New England States. Comparing the white population of the two sections the burden was 46.8 per cent. greater in the South than in New England, while it was 50.9 per cent. greater upon the Southern negro population than upon the negroes of New England. The difference between the relative weights of this load, if I may so express it, had still further increased in 1900. For the total population it was 60.6 per cent. greater in the South than in New England, and 54.8 per cent. greater as between the respective white populations. The greatest increase, however, was on the negro population of the South, their burden of dependency being 241.7 per cent. greater than that upon the New England negro.

The significance of these figures, in comparing the economic condition of the South with that of any other section, or with the country as a whole, it seems to me, can hardly be ignored if we would attach its true value to each factor which contributes to regional or sectional differences. It is apparent that immigration

is partly responsible for the disparities which these figures indicate. How far climatic and health conditions are also responsible is simply another question which has to be answered, another problem for the student to solve.

For purposes of discussion we may admit the relative economic backwardness of the Southern States as compared with the Northern. There need be no debate over the matter of fact. The problem before us is that of locating the cause. This challenges consideration of another question which we shall some day have to answer, no matter how long it may be obscured and postponed. This is: Was the fundamental difference between the economic development and history of the Northern and Southern States, respectively, down to 1861, a difference between two *systems* of labor, plus the natural differences of physiography, or was it a difference between two *classes* of labor, plus the factor of physiography? In shorter terms: Was it a difference between free and slave labor, or was it a difference between white and negro labor? How much of that difference was due to slavery, and hence was of institutional responsibility, and how much was due to the negro, and hence was racial?

No writer on ante bellum Southern conditions, in so far as I now recall, whether considering their concrete manifestations only, or discussing the abstract cause of such manifestations, ever took account in specific terms of the factor of race. From De Tocqueville to Olmsted and Cairnes and the post bellum school, they constantly confuse racial status with race, and thus fail to differentiate between negro slave labor and white free labor. In its last analysis the economic argument of these writers was an attempt to establish the hypothetical dictum of Adam Smith, that the physical productivity of a man or group of men must necessarily be greater under a system of voluntary labor than under a system of controlled labor. In doing this they entirely ignored the economic force of racial differences. Their arguments and methods were probably justifiable as part of a social and political propaganda. But we can neither follow the one nor adopt the other in treating the question forty years after their object has been accomplished, and with an entirely different purpose in view. When these writers ignored the factor of race, and all but disregarded that of natural physical conditions, they ignored the only permanent elements in the Southern economic situation—the only factors sufficiently persistent to constitute an element of continuity in Southern economic history.

The negro was a negro before he was a slave and he remained a negro after he became free. I recall no sound economic argument against slave negro labor *per se* (aside from the system of slavery) which is not today equally as sound against free negro labor *per se*. There is scarcely a passage in the writings on the economics of slave labor which would not be rendered more accurate by substituting the word "negro" for the word "slave". Hinton Rowan Helper is one of the mainstays of anti-slavery economists and historians. Yet I have never known one to quote the post bellum statements which indicated the main purpose of his opposition to slavery to have been his desire to see the South rid of the retarding presence of the negro.

I believe that the only economic indictment which will hold against what is popularly called "slavery" will finally lie against the slavery system and not against slave labor. Though apparently hopelessly confused, the two are economically easily distinguishable. This distinction I suggested in the opening of this paper. Convict labor in 1907 is as much controlled labor as slave labor was in 1860. Convict labor may or may not be efficient in the manufacture of shoes in Massachusetts or in the growing of cotton in Mississippi. That is a question of fact. But however it may be decided, we do not have as a necessary corollary any valid conclusion whatever as to the effect upon the general economic welfare of either state of such a system of convict employment. The primary productive efficiency of a given class of labor under a given system of control is one thing; the larger economic results to the community or commonwealth of a general adoption of such a system is quite another and one in which the question of the original cost of the controlled labor is an element of first importance. The difference between the two is the difference between "slave labor" and the "slavery system". The slavery system was a temporary expedient for controlling and directing a certain class of labor. The system has disappeared, but the labor remains, and must be taken account of in the economic life of the South and of the country.

Second only to the erroneous conclusions into which we have been led through the confusing of slave labor with negro labor, and the failure to recognize the continuity of the influence of the latter factor in Southern economic history, are the fallacies arising from the failure of historians and economists to recognize the importance of the white factor. "Slavery" has loomed so large upon the horizon of Southern history that apparently it has obscured our view of both the negro and the white man. Cairnes laid down the propo-

sition that the existence of slave and free labor in the same community was "a moral impossibility . . . precluded by a cardinal feature in the structure of slave societies".<sup>5</sup> He therefore disposed of five million white laboring people in the Southern States by consigning them to "a condition little removed from savage life", to use his own language. Yet what was theoretically a "moral impossibility" to the closet philosopher in Dublin, was a stubborn fact of every-day experience in the states which constituted the field of his over-sea speculations.

One of the chief problems before the student of Southern history is that of determining this question—the part played by white labor in Southern economic life. The evidence is clear enough that the white laborer's share in that life was far greater than was once supposed, but investigation has thus far barely touched the surface of the field. As yet we know only enough to know that white labor furnished a considerable percentage of the Southern cotton crop before 1861, just as we know that it is producing a heavy percentage of the same crop today—now probably more than one-half. We do know that the Southern industry which has made the greatest advance since 1870, the manufacture of cotton, is wholly dependent upon white labor for its development. We also know that the state which has exhibited the most remarkable increase in the production of raw cotton is the state which, above all others in the South, is dependent upon white labor for its growth. This is Texas, in which most of the cotton is grown by white labor, which contains the smallest percentage of negro population of any of the cotton states, which in fact calls itself a "white state", and which in 1906 produced more cotton than was produced by all the Southern States combined in 1860.

I have suggested that in discussions of slave labor per se, we might substitute the word negro and make a sounder argument. It is strikingly true that in pointing out the great economic advantages of free labor over slave labor, ante bellum writers were simply contrasting white labor with negro labor. Their arguments are good today if we only substitute the word "white" for the word "free". In 1861 Mr. Edward Atkinson wrote a pamphlet to demonstrate that cotton could be grown to better advantage by free than by slave labor.<sup>6</sup> His entire argument is based upon the superior results accomplished throughout the South, chiefly in Texas, by white labor as against the labor of negroes. He thought he was

<sup>5</sup> *The Slave Power* (third edition, 1863), p. 53.

<sup>6</sup> *Cheap Cotton by Free Labor, by a Cotton Manufacturer* (Boston, 1861).

making an anti-slavery argument, while in fact he was simply giving unconscious recognition to the white factor, actual and potential, in Southern economic life. The title of his pamphlet was *Cheap Cotton by Free Labor*, which was misleading. It should have been "Cheap Cotton by White Labor".

But in riveting our attention upon slavery to the exclusion of all other factors in the South, we not only have failed to give credit to the Southern white laboring man, but we have also shifted wholly to an institution a responsibility which, if it is to be placed at all, should rest in large part upon the shoulders of another class of Southern white men.

If the white capitalist class devoted itself more to agricultural than to manufacturing or mining industries, slave labor should not be held to account. If larger use was not made of such labor, this was due either to individual judgment or to the fact that slave labor was negro labor, or to the slavery system, or to all combined. It cannot successfully be charged to the mere status of the laborer. Again, if the white planter did not require his slave labor to keep up his property, it was his fault and not that of either the labor or the system. Probably the most untenable argument ever urged against slave labor or against the slavery system was the popular one that it was responsible for the wasting of the soil. That was a common charge against all pioneer agriculture. Professor J. F. W. Johnston, probably the most scientific English student of agricultural economics who ever visited America, made precisely this charge against the wheat farming methods of New England and New York in 1849, which he described as "scourging the earth". He also declared that the white farmers in that section were growing corn after the same methods followed by the Indians two centuries before.<sup>7</sup> Edmund Ruffin exposed the fallacy of the argument of the responsibility of slave labor for soil exhaustion in 1852. The two were related only in the respect that slave labor, being under control, could be handled with greater facility in all agricultural operations. It could as easily have been used in building up the soil as in wasting it, as was demonstrated time and again in localities throughout the South, and particularly in the agricultural revival in lower and middle Virginia.<sup>8</sup> The "run down", impoverished and generally dilapidated appearance of most Southern plantations today, under free negro cultivation, should suggest that

<sup>7</sup> *Notes on North America* (London, 1851), I, 355 ff.

<sup>8</sup> Edmund Ruffin, *Address before the South Carolina Institute*, Charleston, S. C., November 18, 1852.

slave labor was not responsible for similar conditions fifty years ago.

I have suggested that in the matter of the course of immigration away from the South, the presence of the free negro since 1865 is as much entitled to consideration as a contributing cause as was the presence of slavery before 1861. But it has often occurred to me to question how far the South really desired foreign immigration before the Civil War. It is not possible to sustain the contention that the tide of immigration could have been turned positively to the South, or that the immigration which entered America through Southern ports could have been induced to settle permanently on Southern soil. It is none the less true, however, that the attitude of Southern white people toward the question of encouraging immigration, as a matter of public policy, is still an undetermined factor in its influence upon an economic condition heretofore ascribed wholly to the existence of slavery. This is equally true of the situation today. It may be answered that after all slavery was responsible, in that it influenced Southern public opinion on the matter of state or local aid to immigration. Certainly this is true of the presence of the negro in influencing the attitude of many Southern people today. Here again we have the persistence of the racial, the negro, factor in Southern economic conditions long after the passing of slavery. Many thoughtful people in the South are unwilling to run the risk of complicating their existing racial difficulties through the addition of a foreign element to the population. Indeed, it is safe to say that the only positive opposition to immigration which exists in the South is based upon this fear.

Finally, much might be said of the factor of physiography. Though too prominent to be wholly ignored, it is seldom given its proper weight. In the chapter on the Colonists and the Inferior Races in his last volume on *The English Colonies in America* (p. 243), Doyle says: "There is no feature of Colonial history with which moral and sentimental considerations have so closely combined themselves as the question of slavery. Yet there is hardly any which has been so largely determined by physical causes . . . so little by the deliberate volition of men."

The importance of such physiographical considerations in influencing the course of political and social history is nowhere better illustrated than in the economic history of Virginia. That state was dismembered and the state of West Virginia created purely as a political measure. But the economic aspect of that transaction lies far deeper and beyond the political events of 1861-1865. The



foundation for the latter is grounded in the facts of Virginia economic sectionalism—the barriers created by nature in the western part of the state against the slavery system as it was organized at the time. All the artificial conditions within the state—laws, dominant policy, political considerations—necessarily applied to the state as a whole, at least in so far as they could override physical obstructions. Yet in the counties of western Virginia the negro population decreased 1.8 per cent. in number between 1840 and 1860, while it increased 10.6 per cent. in the rest of the state. During the same period the white population of the West Virginia counties increased 75.1 per cent., while that of the other counties of the state increased but 28.6 per cent.

Thus were natural laws operating to divide slave labor from free, black population from white, and laying the foundation for the white state which was carved out of a black state in 1862. And thus Virginia in 1861, within the limits of her own economic sectionalism, epitomized and typified the larger economic sectionalism of the country as a whole, which had made possible the political sectionalism which in turn probably rendered inevitable a civil conflict at some period in our national development, whether it came through slavery or the tariff. As a result of the play of purely economic forces there was created in a Southern slave state a state just as thoroughly dedicated to "free labor", just as truly "free", as was any in New England. The same forces which made the North a white labor country had by 1861 cut the Southern States in part with a chain of white counties, which extended from the Pennsylvania line practically unbroken to the Mississippi River in Tennessee, to the Gulf of Mexico in Alabama, and to the Atlantic Ocean in Georgia. These same forces operate today, and in their processes we may read an explanation of much which we have formerly attributed to purely human or artificial agencies, rather than to natural laws.

In trying to reach the real causes which underlie the relative movements of negroes and foreign born—I mean the fundamental, persisting causes—we must be impressed with the force of conditions for which slavery was and is in no wise responsible. Here the study of the influence of comparative physiography assumes more than local importance. Though not within the province of this paper, I venture the suggestion that one of the most important studies yet to be made in the field of American economic history is that of the significance of the relative similarity of American and European physiographic conditions in affecting the course and final habi-

tation of the millions which Europe has contributed to the upbuilding of various regions in America, outside the South. In this connection, we may glance at the relative physical situations of our negro and foreign-born populations forty years after the passing of the institution which was once supposed to exercise almost absolute control over their respective movements.

How far racial antipathy and the presence of the negro were responsible, I shall not consider here, but certainly it was not chance and it was not slavery which in 1900 so distributed our population that while but little more than one-fifth of the total and less than one-sixth of the foreign born lived between 100 and 500 feet above sea-level, nearly one-half of the negro population lived between those altitudes. The percentages were 21.8 per cent. of the total, 15.5 per cent. of the foreign born, and 48.2 per cent. of the negroes. These percentages, furthermore, decreased between 1880 and 1900 for both the total and foreign born, while that of the negro showed an increase. And it should be borne in mind that differences of altitude are not dependent on sectional or geographical lines. Some of the highest peaks east of the Rockies are found in the Southern States.

So also with the movement when tested by distribution according to technical physiographic regions. The distribution of negroes shows an almost complete reversal of that of the foreign born. Of the latter 28.2 per cent. live in the New England hills region, which contains but 1.5 per cent. of the total negro population. On the other hand, 41.1 per cent. of the negro population lives in the coastal plain region, which contains but 1.7 per cent. of the foreign born.

In measuring the influence of temperature and rainfall, we find still further confirmation of the other results. In 1900, more than three-fourths (76 per cent.) of the foreign born lived in regions in which the mean annual temperature was between 45 and 55 degrees, more than seven-eighths between 40 and 55 degrees, and more than one-half between 45 and 50 degrees. Negroes, on the contrary, are found to be most numerous between 60 and 65 degrees (37 per cent.), while 83.7 per cent. of the total negro population lived between 55 and 70 degrees. Between 1880 and 1900 the foreign-born drift was toward lower temperatures, while that of the negro was toward higher.

The distribution according to mean annual rainfall showed that 82.6 per cent. of foreign born lived in regions with a rainfall of from 30 to 50 inches, while 90.8 per cent. of the negroes were found where it lay between 40 and 60. Only 1.6 per cent. of foreign born

lived where the rainfall was from 50 to 60 inches, and this proportion showed a declining tendency. Between the same limits of rainfall there lived 60.1 per cent. of the negro population, and this proportion had steadily increased since 1880.<sup>9</sup>

I submit these considerations with this reflection: It seems to me that a final recognition of the far-reaching influence of the play of natural economic forces suggests a broader view of Southern history. In this larger view we may see in the phenomena of Southern economic life the operation of a human nature common to the white population of the entire country, acted upon by economic conditions largely of nature's own creating, rather than a mere manifestation of peculiarities incident to an artificial and a perverted economic growth. I do not mean to insist that any one factor which I have suggested is entitled to the weight which I, individually, might attach to it. I do believe that, taken in their entirety, they constitute a group of influencing causes which cannot properly be disregarded in any comprehensive study of Southern economic history.

ALFRED HOLT STONE.

<sup>9</sup> *Geographical Distribution of Population*, bulletin 1, Twelfth Census, Washington, 1903.

## DOCUMENTS

### *Papers of Zebulon M. Pike, 1806-1807.*

THE accompanying papers are some of those taken in 1807 from Lieutenant Zebulon M. Pike by the Spanish authorities at Chihuahua while Pike, who had been arrested during his exploring expedition up the Missouri and Arkansas rivers, was in captivity in that city. The originals are preserved at the City of Mexico in the archive of the Secretariat of Foreign Relations. They are filed in *caxa* 1817-1824 of "Asuntos Internacionales" in a bundle marked "Boundaries. Concerning the search for, and delivery to the boundary Commission of, the documents which were taken from the traveller Paike."<sup>1</sup> This bundle, in turn, is enclosed within the *carpeta* of an *expediente* marked "1824. The United States. Treaties. Concerning the fixing of the boundaries between Mexico and the United States in conformity with the third article of the treaties of Washington dated February 22, 1819."<sup>2</sup>

From the correspondence filed with his papers we learn that when Pike was taken before Don Nemecio Salcedo, commandant-general of the Internal Provinces, the small chest in which he carried his papers was opened and all of those which related to his expedition were confiscated, a list of the documents being made and the documents themselves numbered to correspond with it.<sup>3</sup> We learn also the circumstances under which the papers found their way to Mexico. These were as follows: On September 21, 1827, Don Miguel Ramos Arispe, Minister of the Department of Justice of the federal government, and president of the commission appointed to determine the boundary between the United States and Mexico, wrote to the Minister of Relations that he thought it probable that the papers taken from "the traveller Paike" might be at Chihuahua in the archive of the old commandancy-general, and asked that they be searched for, and, if found, put at the disposal of the boundary

<sup>1</sup> "Limites. Sobre busca y entrega á la Comisión de limites de los documentos q. se tomaron al viajero Paike."

<sup>2</sup> "1824. Estados Unidos. Tratados. Sobre que se fijen los limites entre Mexico y los Estados Unidos con arreglo al Artículo 3° de los tratados de Washington de Febrero de 1819."

<sup>3</sup> See the affidavit of Francisco Velasco and Juan Pedro Walker to the list, given below, page 810.

commission.<sup>4</sup> The request was at once referred to Simon Elias, governor of Chihuahua,<sup>5</sup> and by him, in turn, to José de Zuloaga, *comisario* of that state, and custodian of the archive of the commandancy-general.<sup>6</sup> After some delay the papers were found in the archive designated, and, on October 20, they were transmitted by Zuloaga to the governor,<sup>7</sup> who, three days later, despatched them to Mexico, together with the original list made when the papers had been confiscated.<sup>8</sup> On November 21 a receipt for all of the papers was signed by the Minister of Relations.<sup>9</sup> A copy of the list was at once made, and the original list returned to Chihuahua. On the same day, November 21, the papers were sent to Arispe,<sup>10</sup> who returned them, in their entirety, clearly, on January 24, 1828.<sup>11</sup>

The list of papers confiscated, which is printed below, is identical with that which Pike printed in his classical narrative.<sup>12</sup> Of the twenty-one pieces named in the list, the first eighteen, still bearing the numbers given them in 1807, were found in the bundle cited above. No. 21 was found in another part of the same archive, and has been placed with the others. Where nos. 19 and 20 are—the most important of all, evidently—there is nothing to show, but it is not improbable that some day they may be found in another archive, or, possibly, in private hands. No. 21 is a valuable document, but its form renders it unsuitable for printing here. One of its titles—it has one at each end—is "Book, Containing Meteorological Observations, Courses and Chart of part of the Mississippi, Missouri and Osage Rivers, with the route by land from the Osage Nation, taken by Lt. Z. M. Pike in the years 1805 and 06, being part of a complete survey which he made of the Mississippi river from St. Louis Louisiana to its Source." The other title is "Book, Containing Traverse Table and Chart of part of the Mississippi, Missouri and Osage Rivers, with the route by Land from the Osage Towns, taken by Lieut Z. M. Pike in the year 1805 and 06, being part of a Complete Survey which he made of the Mississippi River

<sup>4</sup> Arispe to the Minister of Relations, September 21, 1827.

<sup>5</sup> Minister of Relations to the governor of Chihuahua, September 22, 1827, Minute.

<sup>6</sup> Governor Simon Elias to the Minister of Relations, October 8, 1827.

<sup>7</sup> Zuloaga to Governor Elias, October 20, 1827.

<sup>8</sup> Elias to the Minister of Relations, October 23, 1827.

<sup>9</sup> Minute of this date.

<sup>10</sup> The Minister of Relations to Arispe, November 21.

<sup>11</sup> Arispe to the Minister of Relations, January 24, 1828.

<sup>12</sup> *An Account of Expeditions to the Sources of the Mississippi, and through the Western Parts of Louisiana* (Philadelphia, 1810), appendix to part III., pp. 80-82.

from St. Louis to its Source." The contents of this book may be summarized as follows:

1. Eleven quarto pages of meteorological observations covering the period from August, 1805, to March 2, 1807, the date of Pike's arrival at Santa Fé. From these tables we learn that in October, 1805, Pike was on the "Mississippi above the falls of St. Anthony". On August 20, 1806, he was "Between the Osage Towers", on September 27, at the "Panis Republic", and on November 30, at the "Foot of the Mexican Mountains".

2. Twenty-eight pages of traverse tables, covering the period stated above. In these tables there are separate columns for date, course, distance, shores, rivers, islands, rapids, and for remarks on mines, quarries, timber, bars, creeks, shoals, etc.

3. Twenty-five section maps, covering fifteen pages, of the Mississippi River above St. Louis, and about an equal number, covering thirty-two pages, of Pike's route from St. Louis to Santa Fé. The first set is in ink, with the addition of colors, the second in black ink only. They are executed with considerable care, and are well preserved. They contain, besides information concerning Pike's route, valuable data in regard to geographical names and to settlements of both whites and Indians. Whoever undertakes a new edition of Pike's narrative will probably wish to incorporate reproductions of all the maps in this book.

Some of the papers bear numbers other than those given them by the authorities at Chihuahua to correspond with the list. These numbers may be Pike's or those of some archive series.

HERBERT E. BOLTON.

THREE of the papers discovered by Professor Bolton were printed by Pike from other copies. No. 1, General Wilkinson's instructions of June 24, 1806 (supplemented by additional instructions of July 12), appeared in Pike's book, *An Account*, etc., pp. 107-100 (Coues, p. 562), and is also printed in *American State Papers, Miscellaneous*, I. 564 and 943. Nevertheless, it is here printed again, from the manuscript found in Mexico, for convenience of reference in connection with the other documents here presented. No. 4, Wilkinson to Pike, August 6, 1806, warning him of Manuel de Lisa's commercial projects, and telling him how to correct his watch by the quadrant, is in the appendix to part II, of Pike, pp. 38-40 (Coues, pp. 573-576). No. 7, Pike to General Wilkinson, July 22, 1806, telling him of the first days' events of the expedition, and discussing what he should do if he found himself near the

Spaniards of Santa Fé, is in the same appendix, pp. 33-35 (Cones, pp. 568-572). It has not been thought needful to repeat nos. 4 and 7. No. 12 is a very rough pencilled sketch, extending to the Grand Osage and Little Osage villages. It is quite superseded by the finished chart which Pike inserted in his book. No. 18 is still rougher, though in ink, and is drawn on a still smaller scale, so that though it extends to Santa Fé, no useful conclusions can be drawn from it.

The chronological order of the papers herein printed is: Nos. 9, 1, 10, 17, 2, 3, 14, 15, 16, 13, 8, 5, 6, 18, 11.

Interesting as the newly discovered papers are to the student of Pike's expedition and of the history of Western exploration, it is natural to feel at first sight some disappointment that they advance so little toward its solution the problem of the real destination of Pike. Did Wilkinson send him out with the definite intention that he should stray into Spanish territory, should be seized by the Spanish authorities, should see all that he could of their provinces, and report his observations of those forbidden lands to his commanding officer, as an aid to the ulterior designs of that commander or of the government of the United States? It was not to be expected that, if such were Wilkinson's plans, he should leave documentary evidences of them in his agent's possession, to be captured with him. Nevertheless it is impossible to resist the temptation, to profit by the occasion of the discovery of these papers to review once more the evidences of indirection, or at any rate to bring forward such new evidences regarding the government's supposed complicity as may be found in the archives of Washington despite the enthusiastic researches of Cones.

The chief reasons which have been advanced for suspecting Wilkinson and Pike of duplicity in connection with the expedition are the following: The relations of the United States to Spain were strained; it is apparent from Wilkinson's letter of November 26, 1805 (Cones, p. 564, note), that he deemed war probable, and in case of war looked forward to a campaign against New Mexico. In the second place, we have the affidavit of Judge Timothy Kibby of the district of St. Charles in Upper Louisiana, sworn to by him July 6, 1807, in which he says:<sup>13</sup>

<sup>13</sup> This affidavit went the rounds of the newspapers of the time (Colonel Meline quotes a part of it from the *Mississippi Herald* of September 15, 1807), and was several times mentioned in Burr's trial as a well-known document. On that occasion Wilkinson characterized it as "replete with falsehoods"; *American State Papers, Miscellaneous*, I. 548. Dr. Isaac J. Cox of the University of Cincinnati has found an original copy of Kibby's affidavit in the collections of the

I also had a conversation with Genl. Wilkinson concerning Lt. Pikes Expedition to the westward which was nearly as follows. a few Days previous to the departure of Lt. Pike I asked the Genl what was the object of the expedition and where Mr Pike was going. he smiled and said it was of a *secret nature*, but if I would give him my word and honour to keep it a secret, he would give me some information on the subject which he had done only to one person in the Territory. I assented to the proposition and the Genl. observed that Lt. Pike was yet ignorant of the nature of his journey, that his object [*a few words or a line omitted*] that his rout would be by Land from the Osage Towns in order to treat with several Nations of Indians by which he would pass. I asked the Genl. if Mr. Pike was sent by the Government of the United States. he replied no that it was his own (the Genl.) Plan and if Mr. Pike succeeded he the Genl. would be placed out of the reach of his enemies and that in the course of eighteen months he would be in a situation (if the plan succeeded) to call his Damnd foes to an a/c [account] for their Deeds. I asked the Genl. if he did not apprehend danger from the Spaniards, knowing their jealous disposition, on Mr. Pikes account with a party of American Soldiers at Santa fee. he answered that Mr. Pike and his party would have documents to shew which would make them as safe as at Philadelphia.

Thirdly, Pike in his letter of July 22 (*Account*, app. to part II., p. 35; Coues, p. 572), discusses with some freedom the chance of his meeting the Spaniards, and admits the possibility of his being taken into Santa Fé as a prisoner of war; and in his letter of October 2 (Coues, p. 588), he discusses with similar freedom the military approaches to New Mexico. Fourthly, even though he mistook the upper waters of the Rio Grande for those of the Red River, as he maintained that he did, the stockade which the Spaniards found him occupying was on the west or Spanish side of the river. Fifthly, it is unlikely that Dr. Robinson would have been allowed so quietly to leave the stockade and set out for Santa Fé alone, if so little were known of the party's position with respect to that town; and the claims which he went ostensibly to prosecute are admitted by Pike to have been "in some degree spurious in his hands". Why had they been brought all the way from St. Louis

Historical and Philosophical Society of Ohio, Gano Papers, III. 49, and, with Miss L. Belle Hamlin, librarian of the society, has kindly supplied the transcript from which the above extract is taken.

They have also called my attention to the statement of Joseph H. Daveiss, in his *View of the President's Conduct* (Frankfort, Ky., 1807), p. 21. In St. Louis, in May, 1806, he says, he and Wilkinson were talking of Pike's exploring expedition up the Mississippi. "After which, he [Wilkinson] took out a map of the country of New Mexico, which I think was in manuscript; and after some conversation about it, tapping it with his finger, told me in a low and very significant tone and manner, that had Burr been president, we would have had all this country before now." Similar intimations are to be found in Major Bruff's testimony in Burr's trial: *American State Papers, Miscellaneous*, I. 573, 575.



if there were not from the first a thought of going to Santa Fé? Sixthly, there is Pike's chicanery about his baggage and papers, after his arrest. Finally, we may reasonably pay some attention to the testimony given before the committee of the House of Representatives by Colonel John Ballenger, brother of the Sergeant Joseph Ballenger of the expedition and of document no. 13. In a conversation between the two brothers, so the committee report,<sup>14</sup>

The said Joseph informed him that he was in company with Captain Pike in his last exploring tour; that, having left Captain Pike somewhere on the head waters of the Arkansas, he returned to Louisiana; that very shortly after his return, he went into the Spanish provinces; that during all this time he was employed in furtherance of a Spanish project, but did not intimate that Captain Pike had any knowledge, or was at all privy to the said project, or to *his* being engaged therein, and spoke in high terms of Captain Pike. The nature of the project in which the said Joseph was employed, or by whom he was employed, is foreign, (as your committee believe), from the subject consigned to them, and, of course, its detail is omitted in this report.

In the debate in the House, Rowan of Kentucky disclosed more fully the nature of the testimony, which was to the effect that Sergeant Ballenger, a friend of Burr, had engaged two or three Indian tribes to join the latter in his famous expedition.<sup>15</sup>

On the other hand, before looking at further evidence, we may remember that, leaving out of account Wilkinson's instructions, which may have been intended to be captured, his letter of August 6, not so intended, contains nothing to warrant the suspicion; and in Pike's letter of October 24, sent down the Arkansas by the hand of Lieutenant Wilkinson,<sup>16</sup> he speaks simply of pressing forward to the head of the Red River, "where we shall be detained some time, after which nothing shall cause a halt until my arrival at Natchitoches".

What grounds for suspicion the Spaniards perceived is made plain by a variety of letters. Governor Alencaster of New Mexico, in his report of April 1, 1807, to Don Nemesio Salcedo, commandant-general of the Internal Provinces,<sup>17</sup> contents himself with declaring his conviction that the Americans intend, "this year or the next, to establish forts or settlements on all these rivers [the Canadian and the other affluents of the Mississippi], in order to monopolize all the trade" with the Indians. But in a letter of April 15, of which

<sup>14</sup> *American State Papers, Miscellaneous*, I. 719; *Annals of Congress*, 10 Cong., 1 sess., 1767.

<sup>15</sup> *Annals, ibid.*, 1659.

<sup>16</sup> Pike, app. to part II., pp. 39, 51; Coues, pp. 575, 592.

<sup>17</sup> In Colonel James F. Meline's *Two Thousand Miles on Horseback* (New York, 1867), pp. 241-245.

Professor Bolton has lately found a copy in the City of Mexico,<sup>18</sup> Alencaster, after reporting his expectation of an American search-party looking for Pike, and his preparations to meet it, proceeds to tell of suspicious facts which he has learned from "an Anglo-American soldier, who is sick", *i. e.*, one of the privates whose feet and hands had been frozen in the Sangre de Cristo Mountains, and who had remained at Santa Fé while Pike and others were taken on to Chihuahua. When this American, says Alencaster, learned of the sending out of these reconnoitring parties, he told the interpreter that when the Pike expedition set out from St. Louis Wilkinson told Pike "that if Christmas Eve should pass without his return, he should consider him a prisoner of the Spaniards, and should send to look for him. That he should not be concerned although he might be a prisoner for three months. That such were Pai'e's orders, and that he heard him speak of this at different times with Robinson, and that the parties which would be sent out to look for him would be four, of three or four thousand men each."<sup>19</sup> Alencaster had the American brought to his presence to verify this statement.

In "Spanish Notes, vol. II.", in the Bureau of Indexes and Archives, Department of State, are several letters to Secretary Madison from Don Valentin de Foronda, Spanish chargé d'affaires, in which the Spanish suspicions are fully expressed. In a letter of August 22 he says,

It is true the officer declared that he had lost his way. This might be true, but it might equally well be a pretext. The probability is against it. You know, sir, that if such excuses were to suffice, never would a spy be condemned. You should know, sir, that Pike contradicted himself in his declaration: since first he said that Doctor Robinson did not belong to his party, and afterward he declared that he did. The suspicions against this officer were increased by finding in a torn paper a small sketch of the regions between the Missouri and Santa Fe, with information acquired in the said town concerning its population, commerce, etc.

He also comments on the fraudulent character of Dr. Robinson's agency as a collector of debts. In a later note, March 22, 1808, he dilates, in terms that recall the suspicions of Sergeant Buzfuz respecting "chops and tomato sauce", on the fact

That in one of the documents found upon Pike [no. 1], there is talk of Jupiter, of telescopes, of sextants, etc.; that in another [no. 4] there is renewed mention of the said planet and of its satellites, and that

<sup>18</sup> In Secretaría de Guerra, Archivo General, Sección Varios Asuntos, leg. 1787-1806, ff. 158-160.

<sup>19</sup> The whole army of the United States then consisted of 3200 men; Private Dougherty was thawing out.

there is repeated mention of Miranda; all which causes me to believe that it is a cipher, and that the apprehensions of Don Nemesio Salcedo were justly aroused by the astronomy which Wilkinson displays in his instructions to Pike, since one cannot fail to have this dilemma: either Pike knows how to make astronomical observations or he does not: if he does, Wilkinson's lesson is useless to him; if he does not, so brief an instruction could do him no good.<sup>20</sup>

He further recounts, from a declaration made by one of the soldiers of the party, that when some of them "asked Pike where they were going, since they were already in Spanish territory, he replied that they should go ahead".

But it is time to turn to the other side, and to seek the statements of Jefferson and Dearborn. We have seen Judge Kibby's report of Wilkinson's statement, that the plan was the general's own, not emanating from the government, but assented to; but distrust of Wilkinson's statements has become canonical. Secretary Dearborn, in his letter to Pike of February 24, 1808,<sup>21</sup> declares that,

although the two exploring expeditions you have performed were not previously ordered by the President of the United States, there were frequent communications on the subject of each, between General Wilkinson and this Department, of which the President of the United States was, from time to time, acquainted.

In his letter of December 7, 1808, to the chairman of a committee of the House of Representatives,<sup>22</sup> he says,

You will perceive that the instructions were given by General Wilkinson; the object, however, of each party, together with the instructions, were communicated to, and approved by, the President of the United States.

Doubtless more value should be attached to statements of the administration not intended for publication. Jefferson writes to Madison, May 24, 1808,<sup>23</sup>

I think too that the truth as to Pike's mission might be so simply stated as to need no argument to shew that (even during the suspen-

<sup>20</sup> "Que en uno de los documentos que se encontraron á Pike, se habla de Jupiter, de telescopios, de sextantes, etc.: que en otro buelve á hablar de dho. Planeta y de sus satelites, y que de repetite cae sobre Miranda; lo que me hace creer que es una cifra, que debia haber excitado los temores de D<sup>no</sup> Nemesio Salcedo la Astronomia que despliega Wilkinson en sus instrucciones á Pike; pues no podia menos de hacer este dilema: ó Pike sabe hacer observaciones astronomicas ó nó: si sabe, no le es util la leccion de Wilkinson; sino, de nada le servia una instruccion tan somera."

<sup>21</sup> Pike, app. to part III., p. 67 (Coues, p. 844); *American States Papers, Miscellaneous*, I. 944.

<sup>22</sup> *Ibid.*, p. 64 (p. 842); I. 942.

<sup>23</sup> Madison Papers, Library of Congress. Ford, IX. 195. A previous letter of August 30, 1807 (*ibid.*, 24), found in both the Jefferson and the Madison Papers, containing statements intended to be sent to Foronda, has not the same force.

sion of our claims to the Eastern border of the rio Norte) his getting on it was mere error, which ought to have called for the setting him right, instead of forcing him through the interior country.

Fuller private statements were made some years later, upon occasion of the posthumous publication of the last volume of Alexander Wilson's *American Ornithology*. That volume contained a biographical sketch of Wilson by George Ord. In the course of it Ord printed a letter of Wilson to Jefferson, February 6, 1806, in which the ornithologist, on hearing "that your Excellency had it in contemplation to send travellers this ensuing summer up the Red River, the Arkansaw and other tributary streams of the Mississippi", offered his services as a man of science. Ord added in a foot-note, "Mr. Wilson was particularly anxious to accompany Pike"; and he commented with much asperity on Jefferson's failure to reply to Wilson's application.<sup>24</sup> Upon seeing this statement, in 1818, Jefferson wrote to Wilkinson the following significant letter:<sup>25</sup>

MONTICELLO June 25. 18.

Dear General

A life so much employed in public as yours has been, must subject you often to be appealed to for facts by those whom they concern—an occasion occurs to myself of asking this kind of aid from your memory and documents. The posthumous volume of Wilson's *Ornithology*, altho' published some time since, never happened to be seen by me until a few days ago, in the account of his life, prefixed to that volume his biographer indulges himself in a bitter invective against me, as having refused to employ Wilson on Pike's expedition to the Arkansa, on which particularly he wished to have been employed, on turning to my papers I have not a scrip of a pen on the subject of that expedition; which convinces me that it was not one of those which emanated from myself; and if a decaying memory does not decieve me I think that it was ordered by yourself from St. Louis, while Governor and military commander there; that it was an expedition for reconnoitring the Indian and Spanish positions which might be within striking distance; that so far from being an expedition admitting a leisurely and scientific examination of the natural history of the country, it's movements were to be on the alert, and too rapid to be accomodated to the pursuits of scientific men; that if previously communicated to the Executive, it was not in time for them, from so great a distance, to have joined scientific men to it; nor is it probable it could be known at all to mr Wilson and to have excited his wishes and expectations to join it. if you will have the goodness to consult your memory and papers on this subject, and to write me the result you will greatly oblige me. . . .

Wilkinson replied as follows:<sup>26</sup>

August 4th. 1818

Dear Sir

Residing as I do on the right Bank of the Mississippi seven leagues

<sup>24</sup> Wilson, *American Ornithology*, vol. IX. (Philadelphia, 1814), pp. 31, 32.

<sup>25</sup> Jefferson Papers, Library of Congress.

<sup>26</sup> *Ibid.*

below N. Orleans, it is no matter of surprize that your letter, of the 25th. of June, was not received before the 1st. Inst.

I acknowledge the receipt of your letter merely to assure you, that I shall fulfil your desire respecting the explorations of Capt. Pike under my orders, so soon as indispensable daily labour may allow me time, to scrutinize my voluminous correspondence; in the mean time memory authorizes me to declare, that, under a verbal permission from you, before my departure from the seat of government for St. Louis in the spring of 1805, generally to explore the borders of the Territory of Louisiana, I did project the expeditions of Capt. Z. M. Pike to the Head of the Mississippi; and after his return from that excursion, to restore to their nation a number of Osage Indians, who had been ransomed under my authority, from the hostile Tribes by whom they had been captured; to make peace between certain Belligerous nations, and if practicable to effect an interview with and conciliate the powerful Bands of Letaus or Commanchees<sup>27</sup> to the United States. He was also instructed by me, to ascertain the extent, direction and navigableness of the Arkansa and Red Rivers, which discharge their waters into the Mississippi.

I recollect to have seen Mr. Wilson, the ornithologist, at Washington in the autumn 1808, and at Charleston S. C. the winter following; I admired his enterprize, perseverance and capacity, and had several conversations with Him concerning the work he had undertaken, which I was desirous to promote with my humble means; He made various enquiries respecting the feathered creation of this region, and instructed me how to preserve in dead Birds their living appearance; But I do not remember that Capt Pike or his expeditions were alluded to, and the details of that unfortunate meritorius young soldiers Western Tour, published by Himself, will best explain its utter inaptitude to the deliberate investigations of the naturalist. . . .

It might possibly be suspected that Jefferson's letter to Wilkinson was an adroit manoeuvre to secure exculpatory evidence from one with whom manoeuvres were necessary, and that anxiety over Ord's statement was but a pretext. Any such suspicion, however, is dispelled by the following correspondence with General Dearborn,<sup>28</sup> the first letter being Jefferson's, the second the reply.

MONTICELLO Oct. 27. 18.

*Dear General*

I never saw till lately the IXth. vol. of Wilson's Ornithology. to this a life of the author is prefixed, by a mr. Ord, in which he has indulged himself in great personal asperity against myself. these things in common I disregard, but he has attached his libel to a book which is to go into all countries and thro all time. he almost makes his heroe die of chagrin at my refusing to associate him with Pike in his expedition to the Arkansa, an expedition on which he says he had particu-

<sup>27</sup> The Yuta (Yútawáts) of the upper Platte and Arkansas rivers were variously known to the whites as Utah, Utes, Iatans and Ietans. By misreading this last often becomes Jetans, Ietaus and Tetaus; the name was loosely applied to various tribes, among others to the Comanches.

<sup>28</sup> Jefferson Papers, Library of Congress.

larly set his heart. now I wish the aid of your memory, as to the main fact on which the libel is bottomed, to wit, that Wilson wished to be of that expedition with Pike particularly, and that I refused it. if my memory is right, that was a military expedition, set on foot by General Wilkinson, on his arrival at St. Louis as Governor and Commanding officer, to reconnoitre the country, and to know the positions of his enemies, Spanish and Indian: that it was set on foot of his own authority, without our knolege or consultation; and that being unknown to us until it had departed, it was less likely to be known to Wilson, and to be a thing on which he could have set his heart. I have not among my papers a scrip of a pen on the subject; which is a proof I took no part in it's direction. had I directed it the instructions etc. would have been in my hand writing, and copies in my possession. the truth is this, I believe, after the exploration of the Mississippi by Lewis and Clarke and of the Washita, by Dunbar, we sent Freeman up the Red river; and on his return we meant to have sent an exploring party up the Arkansa, and it was my intention that Wilson should have accompanied that party. but Freeman's journey being stopped by the Spanish authorities, we suspended the mission up the Arkansa to avoid collision with them. will you be so good as to lay your memory and your papers under contribution to set me right in all this?

Boston Novemr. 6th. 1818—

Dear Sir,

On the 4th. inst. I had the pleasure of receiving your letter of the 29th.<sup>th</sup> of October. Pikes expedition for exploring the Arkansa etc., was planed and directed entirely by Genl. Wilkinson, while he was governor and Military commander of upper Louisiana. You had previously contemplated the sending an exploring party on that river but the fate of the party sent up the red river induced a suspension of the expedition on the Arkansa until some explanation could be had with the Spanish authorities in relation to the interruption of the party on the red river, and in the meantime Genl. Wilkinson sent off the expedition under Pike. I recollect that you proposed a Mr. Wilson to be joined to the party that was intended for the Arkansa, and that I suggested a doubt as to the sufficiency of our funds for imploying any one in addition to the number previously proposed, but you thought, that, although our means were small, we might venture to employ Wilson on moderate terms, and if the proposed expedition had been carried into effect, I presume that Mr Wilson would have been attached to the party.

having no papers to assist my memory I can only state the facts according to my best recollections, but I am very certain that you had no agency or direction in Pikes expedition on the Arkansa, and that no exploring party was sent up the Arkansa by your direction.

All this is fortified by some additional bits of evidence which are in print, but which seem hitherto to have escaped notice. Coues<sup>30</sup> quotes with apparent approval the statement of Colonel Meline,<sup>31</sup> that "Wilkinson's bulky and diffuse published memoirs may be searched in vain for any information concerning Pike's

<sup>30</sup> P. iv.

<sup>31</sup> *Two Thousand Miles*, p. 313.

expedition, and his silence on the subject is, to say the least suggestive." It happens, however, that beside the ordinary edition of Wilkinson's *Memoirs* published in three volumes in 1816, there is a special issue, a "Volume II." thinner than the usual second volume of the series; this Wilkinson brought out separately, in 1811, in order to make early vindication of his conduct in the Burr episode. It has a voluminous appendix of documents, which on hasty inspection might appear to be no other than those contained in the published edition of 1816. No. 48 of the 1811 volume,<sup>32</sup> however, was not reprinted, and has apparently not been observed by writers. It is a letter of the general to the Secretary of War, dated August 2, 1806, and sent from the cantonment on the Missouri. The essential portion follows:

You have under cover of No. 2 a copy of Lieutenant Pike's instructions, and of the talk I have sent to White Hair and the Grand Peste, which may, I hope, prove satisfactory. . . . As it depends much on circumstances what course Mr. Pike may take, I cannot decide whether he will return to this place, or descend the Red River to Natchitoches, tho' I know his enterprize will lead him to attempt the last route, and in such case he will certainly be accompanied by a party of Iyatan chiefs, whom I would propose to send to the seat of government by sea.

It has been ascertained that no copy of instructions of Wilkinson to Pike is on file in the War Department. Those sent in the letter no. 2 must therefore have been the well-known instructions of June 24, 1806. We are warranted in assuming that when Secretary Dearborn sent to a committee of the House of Representatives his communication of December 7, 1808, he followed the practice of the time by sending with it the instructions, not retaining a copy; and that no other instructions were ever made known to the government at Washington. Whatever opinion we may form as to verbal instructions to Pike from his commanding officer, we may with reasonable security regard the administration as acquitted.

But it is still possible to adduce fresh evidence as to the instructions themselves. Voluminous as are the three volumes of Wilkinson's exculpatory *Memoirs*, it appears that he intended to lay before his patient countrymen still a fourth volume; for there is in existence, though apparently unnoticed in any bibliography or other book, a printed copy of a proposed "Appendix to Volume IV," in

<sup>32</sup> Appendix, pp. 42-45. This edition is rare. There are two copies in the Library of Congress. The same document is printed on pp. 372-378 of *Report of the Committee appointed to inquire into the Conduct of General Wilkinson, February 26, 1811* (Washington, 1811), of which the Library of Congress has a copy, probably unique. Outside of these two rare prints I have not seen this letter anywhere.

which we find a series of "Interrogatories proposed to Major Z. M. Pike", with the sworn replies of that officer, dated November 17, 1808.<sup>33</sup> Among the queries are:

Q. 7. Were you ever directly or indirectly engaged in any meditated military expedition, political project, or agricultural establishment with Aaron Burr?

Q. 8. Did any person ever propose to you any connexion with Aaron Burr, or any one of his partizans, for the promotion of any object of private interest, or of a military or political nature?

To the first of these questions Pike replied, "No, never"; to the second, "No". To the ninth inquiry, as to where he received the first intimation of Burr's treasonable designs, he replied that it was at [near] Chihuahua, in March, 1807, when he read of them in the *Mexican Gazette*.<sup>34</sup> The eleventh question was as to whether he had had any knowledge that Wilkinson was engaged in the plans of Burr. We quote the essential part of his reply to this question:

The orders given by general Wilkinson to me for both my tours of exploration are published in the state papers, or public documents, relative to Burr's trial; and were the only ones, either written or verbal, which I received on the occasion. . . . To the best of my recollection, general Wilkinson never mentioned the name of colonel Burr to me, previous to my meeting him at Washington in October, 1807; except on Burr's halt at Massac, when on his way down the river Ohio, in June 1805. He then spoke to me of him as the late Vice President; a man of talents; and particularly of his valedictory address to the Senate of the United States.

As Pike has a high reputation for veracity, and was here speaking under oath, this testimony is not to be lightly disregarded.

Readers who wish a general survey of the whole course of the relations of Jefferson, Wilkinson and Burr to the various projects of southwestward exploration, cannot do better than to consult a publication of the University of Cincinnati, *The Early Exploration of Louisiana* (Cincinnati, 1906), by Dr. Isaac J. Cox, to whom we are indebted for several valuable suggestions for these introductory notes. ED.

#### LIST OF THE PAPERS TAKEN FROM PIKE. (TRANSLATION.)<sup>35</sup>

[Written in the margin: First Secretariat of State. Exterior Department. First Section.]

<sup>33</sup> Copy, possibly unique, in the Library of Congress; pp. 189-193.

<sup>34</sup> See *Account*, p. 235 (Coues, p. 652).

<sup>35</sup> We believe that, in view of the character of the document, it will be at least as satisfactory to give Professor Bolton's accurate translation of this list as to print the original Spanish. Pike himself gives a version of this inventory (app. to part III., pp. 80-82; Coues, pp. 817-820), and comments on the attempt made in the appended certificate to represent his presentation of the papers as voluntary.



List of the papers which the Lieutenant of Infantry of the United States of America, Pike, leaves at the Superior Government and Commandancy General of the Internal Provinces of New Spain, as relating to the Expedition which he has made from San Luis de Yllinois to the settlements of N. Mexico, for the purpose of visiting the Indian tribes and of exploring the territories and rivers which lie between them, which expedition he has made at the disposition of the government of these United States and under orders from General Wilkinson.

- No. 1. Letter from General Wilkinson to Pike, dated June 24, 1806.
2. Another from the same to Pike, dated July 18, 1806.
3. Another from the same to the said officer, dated the 19th of the same month.
4. Another from the same to Pike, dated August 6, 1806.
5. Letter from Lieutenant Wilkinson to his father, dated October 27.
6. Another from the same to his father, dated the 28th of the said month of October.
7. Letter from Pike to Gen. Wilkinson, dated July 22, 1806.
8. Letter from Lieut. Wilkinson to Lieut. Pike, dated October 26, 1806.
9. Proclamation by Gen. Wilkinson, providing that no citizen of the United States shall deal with the Indian tribes without his permission or that of the governor, dated July 10, 1805.
10. Letter of Ch. Jouett, Indian agent, to General Wilkinson, dated July 10, 1806.
11. Notes, by Lieut. Pike, of his journey from N. Mexico to Chihuahua. A *cuaderno*<sup>m</sup> with 4 used folios.
12. Rough manuscript draft or sketch of the Misuri and Osages [rivers].
13. Letter from Sergeant Ballinger to General Wilkinson, undated. [This is a mistake. The letter is dated October 26, 1806.]
14. Letter from Lieutenant Wilkinson to Pike, undated.
15. Affidavit in French, of a certain Bautista Lamie, found among the tribes, concerning the reason for his residence among them.
16. A sheet which contains notes in French, for the harangues or declarations which it was provided that Lieut. Pike should make to the Indian tribes.
17. Passport given by Lieut. Pike to the Indian Wind, first chief of the village of the Little Osages.
18. A small rough drawing, on a torn sheet, of lands situated between the Misuri and Santa Fee, with information, acquired in this villa, regarding its population, commerce, etc.
19. A manuscript book, octavo, bound in pasteboard, containing the diary of Lieutenant Pike from January, 1807, to March 2, 1807, when he arrived at Santa Fe, with 75 used folios.

<sup>m</sup> *Cahier*. Heft, bunch of leaves sewed together. The size, in my judgment, is quarto. H. E. B.

20. A manuscript book, quarto, bound in pasteboard, containing copies of official communications to the Minister of War and to Gen. Wilkinson, and various observations relative to the mission of the said lieutenant, etc., with 67 used folios.
21. A manuscript book, folio, bound in pasteboard, containing various rough maps of lands, rivers, etc., and the general diary, giving directions, distances and observations, written during his explorations and journey by the said Lieutenant Pike, with 40 used folios.

We, Don Francisco Velasco, first official of the Secretariat of the Commandancy General of the Internal Provinces of New Spain, and Don Juan Pedro Walker, Ensign of the Company of Cavalry of the Royal Presidio of Janos, certify: that when the lieutenant of American infantry, Mongomeri Pike, presented himself before Don Nemecio Salcedo, the Señor Commandant General of the said provinces, he presented also a small chest which he carried. This the said officer himself opened in the presence of those who make this affidavit, took from it various books and papers, and, after separating with his own hand, but with our knowledge, all those which appeared to him and were said by him to be of private interest and without any connection with his expedition, delivered to the said Sr. Commandant General the rest, which are solely those contained in the foregoing list which we have made. In witness whereof we make this affidavit in Chihuahua, April 8, 1807.

FRANCISCO VELASCO.

JUAN PEDRO WALKER.

This is a copy. Mexico, November 22, 1827.

ESPINOZA (rubric).

Corrected (rubric).

N.<sup>o</sup> 1.<sup>st</sup>

ST. LOUIS, 24 June, 1806.

Sir,

You are to proceed without delay to the Cantonment on the Missouri, where you are to embark the late Osage Captives, and the Deputation, recently returned from Washington, with their presents and Baggage; and are to transport the whole up the Missouri and Osage Rivers to the Town of the Grand Osage.

The safe delivery of this charge at the point of Destination, constitutes the primary object of your expedition; and therefore you are to move with such caution, as may prevent surprize from any hostile Bands and are to repel with your utmost force, any outrage which may be attempted.

<sup>27</sup> In Pike's hand, but signed by J. A. Wilkinson; quarto, 4 pp. Though these instructions have been printed before (see the introduction), it is thought best to print them here, that they may be easily referred to in connection with the ensuing documents.

Having safely deposited your passengers and their property, you are to turn your attention to the accomplishment of a permanent Peace between the Canzes<sup>38</sup> and Osage Nations; for which purpose you must effect a meeting between the Head Chiefs of these Nations; and are to employ such arguments deduced from their own obvious Interests as well as the inclinations, desires, and commands of the President of the United States as may facilitate your purpose and accomplish the end.

A third object of considerable magnitude will then claim your consideration; It is to effect an Interview, and establish a good understanding with the Ya, i, tans; Letans; or Camanchees.

For this purpose you must Interest White Hair, of the Grand Osage,<sup>39</sup> with whom and a suitable Deputation you will visit the Panis<sup>40</sup> republic, where you may find Interpreters; and to inform yourself of the most feasible plan, by which to bring the Camanchees to a Conference.

Should you succeed in this attempt (and no pains must be spared to effect it) you will endeavour to make peace between that distant powerfull nation, and the nations which inhabit the country between us and them, particularly the Osage; and finally you will endeavour to induce eight or ten of their distinguished Chiefs, to make a visit to the seat of Government next September, and you may attach to this deputation four or five Panis and the same number of Canzes chiefs.

As your Interview with the Camanchees will probably lead you to the Head Branches of the Arkansaw and Red Rivers you may find yourself approximated to the settlements of New Mexico, and therefore it will be necessary you should move with great circumspection, to keep clear of any Hunting or reconnoitring Parties from that Province, and to prevent alarm or offence, because the affairs of Spain and the United States appear to be on the point of amicable adjustment, and moreover it is the desire of the President, to cultivate the Friendship and Harmonious Intercourse of all the Nations of the Earth, and particularly our near Neighbours the Spaniards. In the course of your tour, you are to remark particularly upon the Geographical structure, the Natural History, and population, of the country through which you may pass, taking particular care to collect and preserve specimens of every thing curious in the mineral or botanical Worlds, which can be preserved and are portable: Let your courses be regulated by your compass, and your distances by your Watch, to be noted in a field Book, and I would advise you when circumstances permit, to protract and lay down in a separte Book the march of the Day at every evenings halt.

The Instruments which I have furnished you will enable you to ascertain the Variation of the magnetic needle and the Latitude

<sup>38</sup> Kansa.

<sup>39</sup> Their principal chief.

<sup>40</sup> Or Pawnee.

with exactitude, and at every remarkable point I wish you to employ your Telescope in observing the eclipses of Jupiters Satellites, having previously regulated and adjusted your Watch by your Sextant, taking care to note with great nicety the periods of immersion and emersion of the eclipsed Satellite. These observations may enable us after your return, by application to the appropriate Tables, to ascertain the Longitude.—It is an object of much Interests with the Executive, to ascertain the Direction, extent, and navigation of the Arkansaw and Red River's; as far therefore as may be compatible with these Instructions and practicable to the means you may command, I wish you to carry your Views to those Subjects, and should circumstances conspire to favour the enterprize, that you may detach a party with a few Osage to descend the Arkansaw, under the orders of Lt Wilkinson or Serg<sup>t</sup>. Ballenger, properly Instructed, and equipt, to take the Courses and distances, to remark on the soil, Timber, etc., and to Note the tributary streams. This Party will, after reaching our Post on the Arkansaw,<sup>41</sup> descend to Fort Adams<sup>42</sup> and there wait further orders; and you, yourself, may descend the Red River accompanied by a party of the most respectable Commanches to the Post of Natchitoches and there receive further orders from me.

To Disburse you necessary expences and to aid your negotiations, you are here with furnished Six hundred Dollars worth of Goods, for the appropriation of which, you are to render a strict account, vouched by Documents to be attested by one of your Party.

Wishing you a safe and successfull expedition,

I am Sir,

With much Respect and Esteem,

Sir

Your ob<sup>d</sup> Ser<sup>t</sup>.

JA: WILKINSON (rubric).

Lt. Z. M. Pike.

N.<sup>o</sup> 2.<sup>43</sup>

CANTONMENT<sup>44</sup>

MISSOURI

July 18, 06.

*Dear Sir*

I have rec d. your letters of yesterday and concerning yr Interpreter without date.<sup>45</sup> I had taken arrangements to secure Bennette, when he

<sup>41</sup> Now Arkansas Post, Arkansas.

<sup>42</sup> In S. W. Mississippi.

<sup>43</sup> In Wilkinson's hand; octavo, 2 pp.

<sup>44</sup> Bellefontaine, Missouri, at the mouth of the Missouri River, where in 1805 Wilkinson had founded an important military establishment, maintained till 1825.

<sup>45</sup> Pike wrote two letters to Wilkinson on July 17, as is shown by his narrative, p. 112 (Coles, p. 361). One he prints; the other related to this affair of the interpreter. Just as he was about to sail from St. Charles, his interpreter,

appeared here and I have now become his security. Manual is a Black Spaniard. He dined here yesterday and left here this morning before the arrival of your letter—this was well for Him.

I have seen too much of the World to fall in love with Strangers, particularly men of fine European and Asiatic languages, found in the wilds of the Missouri—the natural question is, how came so many accomplishments and useful qualities buried alive? Yet no Rule without an exception. But still Henry can gain much of you without being to contribute anything—the association is therefore unequal. If I am Cynical I have cause for it, in the very source of this letter. you must not credit your Red companions, for lying and stealing is their occupation, when unemployed in the chase. They need powder, Ball and every thing else from Mr. Tillier—he gave them 28 lbs of Powder. I shall dress Manual and Cadet aussi. I will teach them how to interrupt national movements, by their despicable Intrigues. I wrote you this morning by Hall of the artillery.

My Son has the foundation of a good Constitution but it must be *tempered* by degrees—do not push Him beyond his capacities in hardships to suddenly. He will I hope attempt any thing but let the hard be hardened by degrees. I have nothing further to add but my blessings and best wishes to you all

JA. WILKINSON (rubric).

Lt Pike

N.º 3<sup>m</sup>

CANTONMENT

July 19<sup>th</sup> 1806.

*Dear Sir,*

I send after you the Circumferenter and Bark left by Dr. Robinson.<sup>47</sup> I expect the Bearer may find you at Charette. We have philadel<sup>a</sup>. Papers to the 24th ult.<sup>m</sup>—not a word of news from Europe. It is reported on vague grounds that Miranda has failed, and it is suggested that France and Spain will demand some retribution for our Countenance of this attempt, but this is a mere party ebullition. I think He will succeed because the British will aid Him.

You will *see* and *feel* the I,tans before you committ yourselves to them, and you must indeed be extremely guarded with respect to the Baronet Vasquez, whom Wilkinson apparently calls "Bennette", was maliciously arrested at the suit of Manuel de Lisa, one of the principal Indian traders of the Missouri, who was interested to frustrate the expedition. By "Henry", below, the general means Mr. George Henry. "Called at Mr. James Morrison's and was introduced to a Mr. Henry (of New Jersey), about eight and twenty years of age: he spoke a little Spanish, and French tolerably well: he wished to go with me as a volunteer", and was engaged the next day (Pike, p. 112).

<sup>47</sup> In Wilkinson's hand; octavo, 3 pp.

<sup>48</sup> The circumferentor for taking angles; the bark presumably Peruvian bark. Dr. John H. Robinson accompanied the expedition as volunteer surgeon. The failure of Miranda's expedition had occurred on April 28

Spaniards—neither alarm nor offend them unnecessarily. write me as long as you can by this Route, under cover to the Commanding officer here and address me at Fort Adams. I wish you would send a Runner to the osage from the Panis, after you have taken your measures with the I.e.tans, and transmit me a Sketch of your route, and of the Country before you agreeably to your information. This may be important in providing against a total loss by misfortune—indeed you may send in your Interpreter Mongrain Express, with a letter of general Information to the Secy. of War, to accompany that which I have required above for myself. You may perhaps be able to guess, when I may look for you at Natchitoches. Write this by the return of the express and tell me how you *all* come on. be attentive in forming your Statistical Table of the Population, to give the names of Chiefs as well as Nations and Tribes, exactly after the manner you have adopted with the Secant and Sautieurs.\* Farewell, my friend, omit nothing to give utility and Importance to your tour, and the sooner you can reach Natchitoches the better, consistently with the necessary investigations.

Your friend and sev't

Lt Pike.

JA. WILKINSON (rubric).

N.° 5.<sup>th</sup>

ARKANSAW RIVER

*My dear Parent,*

27<sup>th</sup> Oct. 06.

In a few moments I enter by skin canoe to descend the river, and part with Mr. Pike—the prospect is not as favorable as I would wish, but as the Season of the year will admit; and I look forward to a pleasant voyage, tho it may be a tedious one, however I shall have the Satisfaction of handing you a correct survey of the Arkansaw and its waters.

My health is perfectly good, and my greatest care shall be to preserve it. I may now and then be a little wet, but I have a large store of thick winter cloathing, and a warm Tent. My coffee and tea is still on hand, as are all my herbs and medicines, none of which I have as yet used.

You must not look for me Till spring, as I am determined to acquire information of the country adjacent to the river.

Believe me your dutiful and affect. Son

JAMES (rubric).

General Wilkinson.

[Addressed:] General or M.° Wilkinson

for Lieut. Pike.

Natchitoches

\* The table alluded to is that which is inserted after p. 66 of the appendix to part 1. in Pike's *Account*. It presents a variety of data respecting the Indian tribes resident on the upper Mississippi, among which the Tetons and Sauteurs or Leapers were two of the most important.

\* In Lieutenant Wilkinson's hand; quarto, 1 p. James Biddle Wilkinson, the general's son, entered the army in 1801, became first lieutenant in 1803, captain in 1808, and died in 1813.

N.<sup>o</sup> 6.<sup>80</sup>

Please to ask Mr. Pike for a Letter  
I wrote him on the 27th relative to  
the command

ARKANSAW RIVER

28th Oct. 06—

N. L. 37° 44' 25"—

*My Dear Sir,*

I am now about undertaking a voyage, perhaps more illy equipd than any other Officer, who ever was on command, in point of stores, ammunition, Boats and men.

I have a small skin canoe, of 10 feet in length, with a wooden one of the same length capable to carry one man and his baggage—not more I believe. I have 5 men, whose strength is insufficient to draw up my skin canoe to dry—and which must necessarily spoil. I have no grease to pay the seams of my canoe, and was obliged to use my candles, mixd with ashes, for that purpose. My men have no winter cloathing, and two of them no Blankets. I must necessarily have the men wading half the day, as the water opposite here is not ankle deep. I shall pass the Republican pawnees, the most rascally nation I know—and perhaps meet with the Pawnee pickeés a nation of whom I have considerable apprehension—and meet in the course of 6 or 7 weeks the Osages and Arkansaws.

If I cannot proceed after I march Ten or Twelve days down, I shall cross to the Kanses, or Osages, who hunt on the streams of the Arkansaw and winter with them.

The river is now full of ice, so much so that I dare not put in my canoes—last night we had a considerable fall of snow. I asked only for 6 men and could not get them.

Believe me, that I sacredly write the truth, with a coolness and deliberation I never before have done, and Believe

me Your sincerely affectionate, tho

Unhappy Son,

JAMES B. WILKINSON (rubric).

[On the back of the letter:]

Lt. Pike will please to give this to  
the Genl. only

General James Wilkinson,  
Natchitoches

F<sup>or</sup> Lt. Pike

N.<sup>o</sup> 8<sup>81</sup>

ARKANSAW RIVER

26th Oc<sup>r</sup> 1806.

*Dr Sir,*

Your instructions relating to my descent of the Arkansaw, have

<sup>80</sup> In Lieutenant Wilkinson's hand; quarto, 1 p.

<sup>81</sup> In Lieutenant Wilkinson's hand; quarto, 3 pp.

been perused with attention, and as far as is in my power and the means given me, shall strictly be complied with.

Before we separate and perhaps for ever, I have taken the liberty to propose a few questions, relative to the Equipment, and the *Command* you have given me. If you should think this a freedom, inconsistent with the principles of Subordination, or unprecedented, you will please to excuse the error and attribute it to ignorance, not to a want of respect for your Opinion, but to a want of confidence in my own.

1:<sup>st</sup> Whether do you consider my strength sufficient to enforce a due respect for our national Flag, from the many nations of Savages. I must necessarily meet on the voyage—Or

2. Whether if an appeal to arms is requisite to repel an outrage offered, the efficient force of the Command would enable me to effect it? I speak of an outrage of a few,—for were many to make the attack, the consequence is obvious. Or,

3. Whether greater danger is not to be apprehended from the *Pawnee Pickees* than any other Nation of Savages in *Louisiana*, not only owing to their intercourse with the Mexicans proper, but to their friendship for the Spaniards, who have regular *Factors* amongst them, and whose interest it is, to keep us in ignorance of the intrinsic value of the Salines of the Arkansaw—and which nation I must pass, and may probably see—Or

4. Whether greater danger is not to be apprehended from the meeting with stragling bands of different nations, inimical to each other, and coursing a tract of country, through which they always make their hostile Sallies, then meeting a Grand and powerful Nation, within its own undisputed Territory, and headed by its Chieftan.

The pusillanimity of the Republican Pawnees is so well known, that no confidence can be placed in them, and should I meet any of that Nation, I shall calculate their purpose to be villanous and take measures accordingly.

I am of the Opinion that a traverse of the Arkansaw, and a Geographical sketch of the adjacent country, is an object of as much importance to our Executive, as one of Red river, its confluent streams and country, and at the present moment perhaps more so, as Cap<sup>s</sup>. Sparks and other Officers have ascended to its Source, or are now making the Survey.<sup>22</sup>

To comply with the wish, intention, spirit and letter of the Generals order and your own, I cannot hurry down the river, without making the required observations; but the quantity of *Public ammunition* allowed me, renders it indispensably necessary to use every exertion to expedite.

<sup>22</sup> The expedition under Thomas Freeman and Captain Richard Sparks, for exploring the Red River, had on July 29 been stopped by the Spaniards near the Caddo villages in what is now Little River County, Arkansas; but this was of course unknown to Lieutenant Wilkinson. Cf. Cox, *Early Exploration of Louisiana*, ch. ix.



dite my progress. If any accident should happen to my *shackling* and *patched canoes*, could I form an other with a *common felling ax, and hatchet*, so as to take advantage of the present rise of the water—and what shelter would I have to protect my men from the weather, in case I should winter on the river. You will pardon me Sir, when I say, Justice would *give 5 men one Tent*, in preference to giving 13 men three, when 12 are allowed 2 only.

You will excuse me Sir, when I observe, that your reflections, when at the source of red river, would be more pleasant, when you considered, that by the gift of a *Broad ax, adz and drawing knife* (of which you have two and *more setts*) you prevented a Friend and Brother soldiers wintering without stores or anything comfortable, altho you might be detained a few days longer, than you would, had you refused those articles. I will conclude with observing, that if you *would add Stout*<sup>28</sup> to my command (who you informed me is a ruff carpenter) I should not anticipate the difficulties I now do, or dread wintering without cabbins, and should feel satisfied within my own mind of the possibility of effecting every thing required.

For the many marks of Friendship I have experienced during our march, receive Sir my most sincere thanks, and wishes for your happiness and prosperity.

With Sentiments of high respect, esteem and attachment  
I remain

Your obd. Ser<sup>t</sup>.

Lieut. Z. M. Pike

JAMES B. WILKINSON Lt. (rubric).

[On the back of this letter is the following:]

On the Inclosed letter I will only remark that I furnished a Tent, Broad Ax, Adz and Drawing Knife and that Lt. Wilkinson had with him 19 lb powder 39 lb Lead and Ball, with 4 Doz. Cartridges, when my whole party had not more than 35 lb of powder, 40 lb of Lead and 10 Doz Cartridges: also that one of his men was a Carpenter by profession and another a mill wright. As to His observations as it respects the Indians, they require a different Notice.

PIKE.

[Address:] Lieut. Z. M. Pike  
Present.

N.º 9.<sup>th</sup>

*By The Governor and Superintendent of Indian affairs in and over  
The Territory of Louisiana*

A PROCLAMATION

All persons are hereby prohibited, ascending the Missouri River

<sup>28</sup> Freegift Stoute, private, was with Pike throughout the whole of his expedition, from St. Louis to Natchitoches.

<sup>29</sup> Signed by General Wilkinson, but written by another; quarto, 1 p. On the back there are a few calculations of meridional altitude, and other figuring in (probably) Pike's hand-writing.

into the Indian Country, or the Mississippi River above the present Settlements, with intentions to enter any of its Western branches, or to trade with the natives on its right bank, But by permission under my hand, as they may desire to avoid the pains and penalties authorized by a Law of Congress of the 30th of March 1802, Intituled an Act, "to Regulate trade and Intercourse with the Indian tribes, and to preserve peace on the Frontiers."

Done at S.<sup>t</sup> Louis, this tenth day of July in the year of our Lord one thousand eight hundred and five.

JA. WILKINSON (rubric).

N.<sup>o</sup> 10.<sup>58</sup>

CHICAGO 10th July 1806—

Sir,

I have this day been informed that the same party of Indians who struck on the osages last fall, contemplate attacking them early this season, the informant States that they are to set out in the first of next month, headed by an Indian of the name of Mionesse. This information may enable your Excellency to circumvent the party or give such notice of it to the Osages as will put them in a defensive Posture.

The Potowatomies are extremely troublesome and insolent to passengers and particularly this town party who reside on the Illinois near the Prairies.

I am very respectfully,

Sir Your Obed<sup>t</sup> Serv.<sup>t</sup>

(Signed) CH. JOUETT I. A.

Genl. James Wilkinson

[Endorsed:] From C. Jouett to Gen.<sup>l</sup> Wilkinson

July 10th, 1806.

N.<sup>o</sup> 11.<sup>59</sup>

March 3, 1807. St Afee.<sup>67</sup> Dined with th Gov etc. etc. Escorted

<sup>58</sup> Copy, in hand similar to that of no. 9: quarto, 1 p. Charles Jouett was Indian agent at Chicago. This letter was enclosed in no. 4, Wilkinson to Pike, August 6, 1806. In that communication, not here reprinted, Wilkinson says, "In consequence of the receipt of the inclosed letters, I have thought proper to send you an express, to enable you to announce to the Osage the designs of their enemies, that they may take seasonable measures to circumvent them."

<sup>59</sup> In Pike's hand, on small rough-edged sheets sewn together; 7 pp. This paper may be regarded as the raw material for Pike's printed narrative from March 4 to April 1, *Account*, pp. 213-236 (Coles, pp. 611-655). The dates, from March 3 to March 25 inclusive, are one day less than those in the printed narrative.

<sup>67</sup> Santa Fé. Governor Alencaster's report of April 1, 1807, to Salcedo concerning the finding and detention of Pike and Robinson was found by Colonel James F. Meline in the archives of New Mexico, then much more complete than now, and was printed in his *Two Thousand Miles on Horseback* (New York, 1867), pp. 241-245. His English translation of it is reprinted in Coles's *Pike*, pp. xlvi, xlvii.

oute in his coach. Bad road; arrived at [blank]<sup>18</sup> with Capt'n. D. Almansa and Bartholemew.

March 4. Snowing. Did not march until 11oc. Arrived at D. Domingo.<sup>19</sup> m. Gov.<sup>20</sup> etc. Church etc.

5 Mar. Down th R. D. N. pass th vill of D Phillips. The curate etc. Bridge, from th. to th village of D. Deis where we encamped for the night.<sup>21</sup>

6 M. Pass a Cf not badly cul<sup>d</sup>. Dine at Albuquerque etc. Met the Doc.<sup>22</sup> at a small village where we staid all night.

March 7. Passd Toussac<sup>23</sup> to th village of Ferdinand where we met Lt. Malgares, etc. etc.

March 8. To The Camp of D M. the sound discipline of th Troops.

March 9. To Sibilletta—regular and th Last village before th enter th desert. Much Talk of th Appaches.

March 10. Down the River 13 or 14m. Good Land.

M. 11. Marched at 11 oc. Met the Carravan from Ler [or, Ser.] Dis. 32 m.

12 M. Continued our route Down th river. Manner of posting Centinel etc.

13 M. at 10oc Continued our route passed the place where th road leaves th river. We continue to follow it. M. Juan Christopher,<sup>24</sup> crossd to th west side.

14 Sunday. 28 miles—road rough and stoney.

15. Passd a large trail of Horses. The Militia of N. M.

16. Recrossd the river to the east side.

17. First sign of the Appaches etc. vegetation commences.

18. Struck the main road which we Had left on r<sup>e</sup>. its Gen<sup>l</sup> Course S.

19. Made aboute 20 m prepared to enter Passa<sup>25</sup> tomorrow.

<sup>18</sup> Cienega. Of his companions the first was Captain Antonio d'Almansa, who escorted him till March 8 and then gave him over into the charge of his permanent escort, Don Facundo Malgares; the second, Don Bartolomé Fernandez, who had brought him in from his stockade to Santa Fé.

<sup>19</sup> San Domingo. The details of the things which Pike notes as remarkable, such as the church of this little village, may be followed in his printed narrative, as explained by Coues.

<sup>20</sup> Rio del Norte (Rio Grande); San Felipe; Sandia.

<sup>21</sup> Dr. Robinson, whose adventures since his detachment from Pike's party on the headwaters of the Rio Grande may be read in Pike.

<sup>22</sup> Tousac is perhaps Pajarito; Ferdinand is San Fernandez; Lieutenant Don Facundo Malgares had just made a brilliant cavalry expedition to the northward visiting the Pawnees and seeking for Pike's party. "D M." in the next item means "Don Malgares".

<sup>23</sup> Monte del Fray Cristobal.

<sup>24</sup> El Paso; not the present town of that name in Texas, but one on the opposite or Mexican side of the river, now called Ciudad Juarez. The meaning of the next passage is that the party put up at the house of Don Francisco Garcia, a rich merchant and planter, while Don Pedro Roderique Rey was lieutenant-governor of the place.

20. Arrived at Passa, and put up at th H. of D. F. Garcia. Lt. Com.<sup>d</sup> Rey, prest L. Paaso. remaind there until th 22 when we marchd to the Fort of Eleciair<sup>65</sup> about 16 m. lower Down on th river. The Industry of the Inhabitants. Vinyards, Canals, etc. etc.

25. Left Elecia and marchd to The Mal Aukah<sup>66</sup> where we Encampd. Good water.

26. To the Fountain of Lothario.<sup>67</sup> miserable water. We now had left the pro. of N. Mexico and entered that of Biscay. Dissertation on the former, as to population etc. etc.

27. To the Fort of Carracol.<sup>68</sup> Com. Pedro Rues Saramunde.

28. To the spg of Warm Water. elegant situatn etc. etc.

29. Marchd 30 m and encampd without water. windy and disagreeable.

30. Marchd 20m. and arrivd at a spring on th side of the mt. and Elegant situ—This Day saw Con.<sup>1</sup> cabrie.<sup>69</sup> Encampd at night withoute wood or water.

31. M. early and arrived at a spring at 10 oc. th road to Senora etc. etc. arrived at Night at the village Encenelias<sup>70</sup> where we slept. the Labour of the Criminals etc. etc.

1 Ap.<sup>1</sup> Marchd and Halted at Saus. the bands of sheep and cattle. encampd near Chiwawa. [ditto] at the House calld the red House. 52 m.

N.<sup>o</sup> 13.<sup>71</sup>

#### *My General*

I am now at Arcances River in perfect Health and good Spirits. am about to descend that river with your son. we shall find much difficulty owing to the waters being very Low but we will persevere and be successful. I sold the articles I Rec.<sup>d</sup> at Cold Water to the Men for about \$170 Dollars. \$93.25 Cents of the acts<sup>72</sup> I have sent by Lieut Pike. If He arrives before I doo and the Men draw there pay he will Receive the amt for me and leave it with you In case he starts before my arrival. the Men who go with your son I have not sent on the acts of, as I shall be at Camp as soon as they are. Mr Pike got from me to amt \$29.50 cents which is Included in James Draft on you. If Mr Pike should go on to the States before the men Receive there pay I trust you will Receive my act from him and Draw the amt from the Paymaster for me. I want to make some Money for you and my

<sup>65</sup> Fort San Elizario.

<sup>66</sup> Ojo de Malayuque.

<sup>67</sup> Ojo de Lotario. From this point the dates agree with those in the printed narrative.

<sup>68</sup> Carrizal. The commandant was Don Pedro Ruiz Saramende.

<sup>69</sup> Antelopes.

<sup>70</sup> Encinillas. The party arrived at Chihuahua on April 2.

<sup>71</sup> In Ballinger's hand; octavo, 1 p.; no punctuation.

<sup>72</sup> Accounts.

self both the Insuing spring and Summer by Trading Horses. more of this when I see you. Yrs truly

J BALLINGER

26th Octr 1806

[Addressed:] His Excellency James Wilkinson,  
Governor of U. Louissiana  
Natchitoches

Fav.<sup>d</sup> by  
Lieut Pike

N.<sup>o</sup> 14.<sup>13</sup>

Dear Pike,

The indians were anxious to go on the other side, but *when I mentioned by your order, that the distance on this side was not much longer, and perhaps more safe*, they [said] they would march on this side. they are extremely uneasy about the Sacks, Kaos and poos, from information given them by some damd rascal or other, and have generally complained to me of the Danger. I merely observed that all Indians who meant to do them wrong would have to destroy all of us before they got to them. I caught a half f[torn] Indian talking with the chiefs, and told him if he impressed their minds with the fear of any Indians who were waiting for them on the river, I would crop his ears off *as close as a hogs ever was*. The chiefs entreat to cross the river to talk to a friend of theirs at St Charles—they ought not to talk unless in your presence, as improper stories might be told them, and you know *Bad birds* are flying about.

Fire three Guns when you want me to strike our tents and join you.

A man some hours since informed me 1500 Savages were encamped higher [torn]. I told him it was a lie raised by some damd rascal. Yours in heart and soul

JAMES

[Addressed:] Lieutenant Z. M. Pike.  
Vis a vis (rubric).

N.<sup>o</sup> 15.<sup>14</sup>

personally came before me Baptiste Duchouquette als Lamie of St Louis Territory of Louisiana and after being sworn to the truth of his declaration made the following Statement, Viz.

<sup>13</sup> In Lieutenant Wilkinson's hand; small octavo, 2 pp. This letter must have been written about July 19 or 20, 1806, at the very beginning of the expedition, when for a few days Pike had detached Wilkinson to proceed by land across a bend of the Missouri.

<sup>14</sup> Signed by Pike, but written by another; quarto, 1 p.; almost no punctuation. On arrival at the village of the Grand Osages, August 19, Pike had found there a party of three men from St. Louis, headed by Jean Baptiste Duchouquette, usually called Baptiste Lamie, who had been sent there by Manuel de Lisa. Pike sent Lieutenant Wilkinson to demand to see his passports, or, if he had none, to bring him to camp, which was done. Finding that he could substantiate

je sertifie que je ne sui icy que pour un Recouvrement de quelque dette due a Mon sieur Lisa Manuelle par des ChasSeurs Et que Monsieur Manuel Dillisa Et venue Mangage a la bitation<sup>16</sup> pour faire ce reCouvrement a mon Retoure de la Nouvelle orlean le 20 de Juillet Et que j'ai partie le premier du Out pour venir icy avec un Canoz armés de deux hommes, lun se nome joseph Rives et lotre Calixe Montardie. Nous ne portion que nos vivre nessicaire pour le voyage Et deux lettres quatre Carotte de tubac un peti Baril de Tafia pour le chef des Cheveux Blanc. Et il ma dit de faire dire par Noille Mongrain quil a lait venir sou bien peut de tems avec Bau Coupe<sup>17</sup> de Marchándisse avec M. Silveste Labadie. un malheur inprevue mais fait perdre tous Ce que j'an portai. En passon de Sour une anbaras je Nai puis<sup>18</sup> sauver que ma carabin. montrouvent de pour vue<sup>19</sup> de tous les petis nessaire du voyage j'ai pris le partie daCheté de Monsieur Mccellan une couverte deux livres de poudre une chodier quatre livre de Balle pour continuer mon voyage, que j'ai asi bien reussi en catorze jour, Et la quinzième je fus arette par un officier que ma demandez mon pasport. ne pouvent pas luis presenter je prete serment comme quoi tous ce que je die est la verité et pure verite. faite aux Camps du Lt. Pike ce 21 aouts 1806.

Je declare ne savoir signer. je fait ma marque ordinaire dune Croix.

Marque de X BAPTISTE LAMIE  
DE CHEUQUETTE

Baronay Vasques  
temoin

Sworn to before me at Camp Independence Near the Osage Nation  
21 Aug.<sup>1</sup> 1806.

Z. M. PIKE, Lt  
1 US Reg.<sup>1</sup> Infy.

Duplicate

Z. M. Pike

[On reverse side of sheet:]

Nul present dois etre Satisfait

N.<sup>o</sup> 16<sup>re</sup>

*Mes frères,*

Avant de vous parler moi-même je vous donnerai une parole de votre père qui est à S.<sup>t</sup> Louis, qui est adressé aux cheveux blancs, mais qui regarde beaucoup à toute la nation osage.

nothing more criminal against him than his having entered the Indian boundaries without a passport (see no. 9). Pike detained him long enough to alarm him, then took his deposition, and sent a copy of it to St. Louis that the three might be prosecuted. (Pike, pp. 127, 128, app. to part II., p. 41.) Noel Maugrain, mentioned in the deposition, was the resident interpreter at the Grand Osage village.

<sup>16</sup> Est venu m'engager à l'habitation.

<sup>17</sup> Qu'il allait venir sous bien peu de temps avec beaucoup.

<sup>18</sup> M'a fait . . . en portai. En passant au dessus d'un embarras je n'ai pu.

<sup>19</sup> M'en trouvant dépourvu.

<sup>20</sup> Signed by Pike, but written by another; quarto, 3 pp. Talk delivered by

ici la parole du Général. \* \* \*

*Mes frères,*

Vous voyez par la parole de votre père que je vous donne à présent, qu'il ne desire pas que vous restiez tranquille, quand vos ennemies viennent vous tuer, mais que vous soyez prêts à détruire ceux qui veulent vous faire du mal.

*Mes frères,*

Pour cette raison Je suis d'avis que vous deviez envoyer des espions sur le Missouri, et si vous trouvez que vos ennemies s'approchent, soyez de bon coeur, faites un ambuscade et détruisez les.

*Mes frères,*

Ce n'est que de se défendre, Ce n'est pas daller aux villages de vos ennemies pour tuer leurs femmes et leurs enfans, qui sont innocens.

*Mes frères,*

Vous voyez par cette dernière parole, aussi bien que par le rachatement de vos femmes et de vos enfans de la captivité, combien l'amitié de votre pere américain est sincère.

*Mes frères,*

Vous nous voyez ici, nous avons été envoyés pour garder vos enfans, que nous avons racheté, jusqu'à votre nation. Nous l'avons fait. Outre ceci J'ai des ordres à faire la paix entre votre nation et les Kans, qui ont envoyés dire à votre père à S.<sup>t</sup> Louis qu'ils desirerent et qu'ils sont prêts à faire la paix avec les Osages.

*Mes frères,*

Les homme sage doivent savoir que la paix vaut mieux que la guerre, et si vous etiez en paix avec toutes les nations nous n'entendriens pas la voix de la douleur chez vous mais celle de la Joye.

*Mes frères,*

Pour réussir dans cette affaire votre Grandpère à Washington a ordonné à votre père à S.<sup>t</sup> Louis, de faire comme il lui semblera mieux.

*Mes frères,*

Ainsi il m'a ordonné de faire rencontrer les osages avec les Kans, pour fumer la pipe de la paix, pour mettre la casse tête dans la terre, et pour etre comme la meme nation.

*Mes freres,*

Pour cette raison Je demande que quelques de vos chefs et de vos guerriers m'accompagnent à la république des Panis, D'où J'enverrai cherchi les Kans.

*Mes freres,*

Quand vous serez chez les panis, vous et les Kans seront sur la him on August 22 (*Account*, p. 129) to the Great and Little Osages, at his camp between the villages of the two.

<sup>80</sup> Evidently the talk which Wilkinson enclosed for the purpose in his letter of August 6. Pike, app. to part II., p. 38 (Coues, p. 574). Under August 7 Pike notes, "I employed myself part of the day in translating into French a talk of General Wilkinson to the Cheveux Blanche" [*sic*].

terre d'une nation etranger [*neutre* interlined], et l'un n' aura pas peur de l'autre, et par consequence la paix que vous ferez sera forte et Sincere.  
*Mes freres,*

Vous pouvez rencontrez aussi quelques des Maitons ou Comanches, et J'espere faire la paix entre eux et vous.

*Mes freres,*

Je desire aussi que deux ou trois de vos guerriers descendront la riviere des Akansas, avec une partie de mes guerriers, au village de la grand Peste,<sup>21</sup> pour lequel J'ai une parole de votre pere a S.<sup>t</sup> Louis

*Mes freres,*

L'on a dit a votre pere a S.<sup>t</sup> Louis que les gentes du Grand peste ont tués des françois, et qu'ils ont volés leurs chevaux.

*Mes freres,*

La grand Peste et son peuple ne sont ils pas Osage, si ils le sont pourquoi font-ils la guerre contre les enfans de votre Grand pere.

*Mes freres,*

Si la parole que votre Grand pere a S.<sup>t</sup> Louis envoit par moi pour la grand peste, et que je desire être accompagné de quelques de vos guerriers, n' ouvre pas ses oreilles, votre grand pere l'abandonera, et ne veut plus que lui et sa nation soient ses enfans, mais souffrira que ses guerriers blancs et rouges levent la casse tête contre lui.

*Mes freres,*

Vous qui avez été dans les étas unis, savent bien quelle hospitalité vous avez éprouvé, et que tout vous étoit accordé ce que vous avez souhaité. Nous sommes venus, apresent vous demander à nous accompagner pour retour, et Je vous demande des chevaux pour aller d'ici chez les panis, d'où quelques de vos guerriers peuvent les ramener chez vous encore.

*Mes freres,*

Je desire que quelqu-uns de vous m'accompagneront pendant tout mon voyage, et vous ferez connaissance avec les nations rouges qui sont à l'ouest, et vous verrez sur le Mississippi d'en bas votre Grand pere de S.<sup>t</sup> Louis qui vous recompensera de votre fidelité.

*Mes freres,*

Je me suis adressé à tous les deux villages comme s'ils etaient le même, comme c'est la volonté de votre Grand pere. il vous voit comme la même nation, faites conseil ensemble et soyez forts.

J'ai parlé.

*Mes freres,*

Nous allons faire un long voyage. quand nous sommes avec les osages, nous nous croyons chez nous, et vous etes practie [*sic*] de la parte de votre pere.

Je n'ai pas apporté des dons pour vous, mais comme preuve de notre estime. Je vous donne jusqu'au dernier goutte de notre whiskey, un peu de tabac, et quelques choses pour garder en souvenir de cette journée.

<sup>21</sup> Grande Peste was, apparently, a chief of those Osages who lived on the Arkansas River.



N.<sup>o</sup> 17.<sup>82</sup>

This is to Certify that the Bearer (The Wind) the first chief of the Little Osage, and the Indians who accompany him, are of that nation—either captives lately redeemed or chiefs returning from the City of Washington; and who are immediately under the protection of the United States: I do therefore request all persons, to give them every proper assistance, and protection; and not to throw any let or hindrance, in their Way.

ST CHARLES,

17 July, 1806.

Z. M. PIKE, Lt. (rubric).

N. B. They will be met on the River above by the party of troops under my command, and should they have offended or Injured, any person by application to me they shall receive ample satisfaction.

Z. M. PIKE.

[On back of No. 18.]<sup>83</sup>

From S<sup>t</sup> Afee to the two chief mountains the Spaniards drive carts and exchange necessities for Buffalo and dried meat. there are three villages between the mountains and S. Afee, all parallel. the popula. civilized Mexicans.—Same f 1797. We left the Great Panis on the river platte with 48 chiefs and warriors to attend a treaty with the Camanches (or Ietans) at the two chief mountains. the country level and without wood, except on or near the water courses. The surface being covered with snow; in some places neither wood nor water for 70 or 80 m. We stated [started] with 80 and odd Horses and brought back 18. 11 Indis. only held out to the end of the Journey. The Prairie is high and Dry with short Grass in summer.—met upwards of 3000 Ietans. They are short wellset men all with long Hair. The women are close cropt and are remarkable ugly and felthy. The whole were on Horse back, and are armed with Bows, arrows, and Lances. their Saddles are made of skin and wood with wooden stirrups, but they procure some Bridles from the Spaniards. they are Erratic raise no corn and have no fixt residence. they hunt only for Buffaloe robes, which is their only dress except a Breech cloute which they procure from the Spaniards, tho many of the men are quite Naked. The women are covered with a Buffaloe robe tyed round their necks.

<sup>82</sup> In Pike's hand; octavo, 1 p. The Wind's native name was Tuttasuggy.

<sup>83</sup> These notes are in Pike's hand.

## REVIEWS OF BOOKS

### GENERAL BOOKS AND BOOKS OF ANCIENT HISTORY

*The History of Music. A Handbook and Guide for Students.* By WALDO SELDEN PRATT, Professor of Music and Hymnology in Hartford Theological Seminary. (New York: G. Schirmer, 1907. Pp. 683.)

IN the prefatory note Professor Pratt indicates the scope of his profusely illustrated and carefully indexed book thus: "It is meant to be distinctly a book of reference for students rather than a literary or critical survey of a few salient aspects of the subject or a specialist's report of original research. Aiming at a certain degree of encyclopaedic fulness . . . at every point an effort is made to emphasize the leading tendencies or movements of musical advance, referring to particular styles and composers as illustrations."

This programme has been carried out admirably. The work contains an amazing amount of generally reliable information brought up to the date almost of the month of publication and presented in clear, concise language. Indeed, too concise when "the leading tendencies or movements" are discussed. Possibly this is noticeable only to the professional historian who finds himself in sympathy with Professor Pratt's keen and thoughtful appreciation of musical evolution and esthetic values and who would prefer a more liberal display of such well-balanced historical ideas to the sometimes monotonous enumeration of facts and mediocrities.

The subject-matter is grouped in the usual manner, leading from "uncivilized and ancient" to medieval music and then by centuries to our own times. Each part of the book includes a summary of musical literature written in the respective period.

By departing from the traditional full stop at the year 1600 and by ending medieval music a century earlier, the author proves that he is willing to break with antiquated traditions. On the other hand, he still insists (pp. 63-64) that "before about 1200 . . . the only kind of music was ritual." Riemann, Aubry and others disproved this popular theory. Nor will the effort to establish (p. 93) the Netherlands as "the new art-centre" at the beginning of the fifteenth century or the statement (p. 97) that about 1420 "all the effects in view were strictly vocal, instruments being employed, if at all, only to double the voice-parts", pass unchallenged. Similar doubts may be expressed as to the absolute correctness of the theory (p. 188) that "in England the dra-

matic form that led toward the opera was the masque" and the reviewer's own researches oblige him to disagree with the author's underestimation of the English ballad-operas, not as an inferior art-form but as a means of fostering genuine *English* opera. On page 258 the unreserved statement that in Bach's cantatas "the recitatives and arias are of operatic origin", attracts attention. It is therefore not surprising to find that the treatment of early chamber-music, vocal and instrumental, is decidedly less careful and scholarly than that of opera which perhaps receives too much credit in matters of general musical evolution (compare section 134).

One of the features of the book is the effort to keep before the reader's mind the political and social history of each period, thus laying emphasis on the obvious fact, once so foolishly denied by Justus von Liebig, that art is an *essential* factor of civilization. As this method of procedure is quite in keeping with the author's well-known philosophy of art, it is disappointing that he has allowed but scanty space to "musikalische Länderkunde". On pp. 648-650 this branch of musical history is briefly but refreshingly considered for the latter nineteenth-century music in America, and similar though shorter paragraphs may be found in the book but they are too few to convince general historical students (p. 18, introduction) that they have much overlooked the general history of music and too few to show "how musical life has been interlocked with literature and the other fine arts and with the advance of social life in general".

Undoubtedly the book becomes unbalanced towards the end. For instance César Franck has to content himself with one line (p. 585) whereas Karl Reinecke (p. 528) gets twenty! Indeed the space allowed German composers of recent date is clearly out of proportion to their merits *versus* the representatives of "nationalism in music" in other countries. One need but read the paragraphs on recent Scandinavian music (pp. 644-645) to feel that the author is not quite sure of his ground. However, such defects are relatively few in Professor Pratt's work. They can easily be modified and corrected in later editions and do not very perceptibly diminish the value of this very handy and remarkable book.

O. G. SONNECK.

*The Greatness and Decline of Rome.* By GUGLIELMO FERRERO. Translated by ALFRED E. ZIMMERN, M.A., Fellow and Tutor of New College, Oxford. Vol. I. *The Empire Builders.* Vol. II. *Julius Caesar.* (New York: G. P. Putnam's Sons; London: William Heinemann. 1907. Pp. viii, 328; vi, 389.)

"THESE two volumes contain a history of the age of Caesar, from the death of Sulla to the Ides of March. They cover the critical years in which Roman imperialism definitely asserted its sway over the civi-

lized world." "Prefixed to the work are five introductory chapters giving a somewhat lengthy summary of Roman history down to the moment when the detailed narrative begins." "My intention is to continue the narrative, in succeeding volumes, down to the break-up of the Empire."

The first two volumes appeared in the original in 1902. The title of the first—and there is much in Ferrero's titles—was *La Conquista dell' Impero*. Vol. III., *Da Cesare ad Augusto*, appeared in 1904; vol. IV., *La Repubblica di Augusto*, in 1906; and vol. V., *Augusto e il Grande Impero*, in 1907. The writer, only thirty-six years old, leaped at once into extraordinary fame and popularity, especially in Italy and France. The world had long been ready for a new version of the story of Julius Caesar which should correct or modify, giving its authorities for so doing, the extravagant estimates of Mommsen. Here was such a version, appealing to the popular taste with its cult of materialism, fatalism and socialism, written in a brilliantly sensational style, abounding in startling modern parallels and seemingly profound psychological analyses, "a psychological and artistic history, in which the passions of men are analyzed", in contrast with "the critical and scientific history of certain pedants". But in it the pendulum has swung violently to the other extreme, and the work of the trained and scientific historian in ascertaining the actual facts is largely replaced by fascinating deductions from imperfectly ascertained facts, or from assumptions based on the unquestioning application to the past of modern economical, sociological, or psychological principles.

Ferrero is a pupil of Lombroso, with whom he collaborated in a remarkable work on criminology, and his independent work, before he turned his attention to ancient history, was along the lines of anthropology, sociology, psychology and economics. Special and technical training as a historian he never had, although his critics from among the guild of historians admit that his handling of ancient authorities improves from volume to volume. *Historicus crescit eundo*. Still, to the guild, he is an "improvised historian, though a publicist of talent", or a "dilettante". Like the lamented De Amicis, Ferrero is a socialist by conviction, though an aristocrat by birth, and he has suffered exile for his convictions. The worst that his critics can say of him is that, having made an intensive study of modern European society from the standpoint of materialistic socialism, and having deduced therefrom a system of belief, he now tries to find in the facts of ancient Roman history an exemplification of that system. "I hope that my book has enabled me to demonstrate that the Roman world-conquest, one of those amazing spectacles in history which, seen from a distance, seem to defy both comparison and explanation, was in reality the effect of an internal transformation which is continually being re-enacted in the history of societies on a larger or a smaller scale, promoted by the same causes and with the same resultant confusion and suffering—the

growth of a nationalist and industrial democracy on the ruins of agricultural aristocracies."

In this tremendous transformation from a military and agricultural aristocracy to an industrial democracy, society is subject to the action of unknown and mysterious forces, according to Ferrero. Great men are merely the puppets of destiny, and destiny is the unforeseen precipitation of events by hidden forces. Even change is elevated into law. "No influence in human affairs makes permanently or uniformly for good or for evil. It was in obedience to this law of constant change—a law which seems to be the one constant element in human society and history—that, towards the middle of the third century, through the increase of wealth and the continuance of victory, this spirit of discipline and rural simplicity began to show symptoms of decline." The democracy first became greedily aggressive in the conquest of the Po valley; the Second Punic War hastened the advent of the commercial era. Eastern conquests, in which the desire for "loot" was thinly disguised under pleas of self-defense and the liberation of friendly peoples, brought fresh wealth to be fought for by the rich who were becoming richer and the poor who were becoming poorer. Caius Gracchus, "one of the four founders of the Roman Empire, and perhaps the most far-seeing statesman Rome ever produced", sought to include the entire population of the Peninsula in the enjoyment of the benefits and responsibilities of world empire, and was slain by the aristocrats who could not relinquish what they deemed their prerogatives. Marius brought the proletariat of Rome into bloody possession of imperial "loot", and Sulla restored the old possessors and the old order. But "order, even in the best organized State, is only a smooth and specious fiction in the place of justice and wisdom." The equilibrium between wealth and poverty which had been established by the great revolution and its massacres, was in its nature only temporary. Before the next great upheaval of the soil by the ploughshare of revolution, Lucullus, that "Napoleon of the last century of the Republic", had inaugurated the policy of the personal initiative of the provincial general, had "substituted war for negotiation" in dealing with foreign peoples, and so had marked out and sown the field in which Pompey and Caesar, his two great pupils, were to reap, in unconscious preparation for the second bloody struggle between wealth and poverty.

In depicting this second struggle Ferrero corrects to our satisfaction the depreciatory estimates of Pompey and Cicero which became the vogue with Mommsen, but attacks what he calls the "fanatical" admiration of Mommsen for Caesar with an impetus which carries him far beyond the bounds of historical safety in the opposite direction. The one redeeming thread of loyal consistency which runs through Caesar's checkered career, *viz.*, his devotion to the ideas of Caius Gracchus and Caius Marius in an attempt to form and lead a national democracy, is now ignored, in defiance of the clear evidence for it,

to strengthen a startling psychological analysis (I. 327), and now emphasized in an eloquent eulogy of his moderation at the opening of the civil war (II. 192). Caesar is a brilliant and unscrupulous opportunist, the psychological puzzle of his age. "It seems as though he were perpetually oscillating between opposite extremes, between an excess of temerity and an excess of caution. No sooner had he permitted some gust of passion or foolhardy caprice to carry him into a position of real danger than he turned back, no matter how successful his attempt, and relapsed into a prudence that bordered on timidity—only to break out again into all his old daring at the first suitable provocation."

Caesar's conquest of Gaul is represented as his lucky extrication of himself from a series of lamentable blunders, and yet it is admitted that he showed himself an incomparable leader, and created for himself a matchless army. His *De Bello Gallico* was an apologetic popular work, written with consummate art to delude a credulous public, and yet "at the decisive moment in the history of Europe, he and his men had drawn events into a course which their successors would for centuries be unable to deflect", and at this moment, after many Protean changes, his last transformation was into "a new and unexpected character—that of the moderate and exemplary citizen, disposed to every reasonable concession and solely desirous of the public good". But "Fate was dragging both sides remorselessly into civil war", and "though he had originally entered upon the war not out of lust for the supreme power, but to win a secure and honorable position in the aristocratic republic", he came out of it the victim of new ambitions that were forced upon him by his very successes. "He was the prisoner of his own victory." He must keep his promises to his soldiers and the multitude, and must therefore have supreme power. To maintain this supreme power fresh conquests were necessary, and therefore the Parthian campaign dominates his later plans, according to Ferrero, although the evidence is of the slightest that Caesar ever seriously thought of this campaign. But the tremendous drain upon his vitality which his superhuman activity had by this time made, left him exhausted, irritable and vacillating. He toyed with the idea of an open kingship, and so drove the right wing of his party into the arms of the surviving conservatives, who "banded themselves together against the Asiatic and revolutionary monarchy which they saw looming in the East, between the folds of Caesar's conquering banners". "But the modern observer has no excuse for regarding the plot to which Caesar fell a victim as an unlucky misadventure, due to the weakness or the wickedness of a few isolated individuals. The very opposite is the truth." The object of the conspiracy was to hinder the Parthian expedition!

"There were three great political objects for which Caesar fought during his career: the reconstruction of the Constitutional Democratic party in 59; a bold adoption and extension of the Imperialism of Lucullus in 56; and the regeneration of the Roman world by the conquest of

Parthia after the death of Pompey. The first and second of these ideas were taken up too late: the third was inherently impossible. . . . Caesar was not a great statesman; but he was a great destroyer. In him were personified all the revolutionary forces, the magnificent but devastating forces, of a mercantile age in conflict with the traditions of an old-world society." So Ferrero, in a work of great eloquence and rhetorical power, which is already widely and is sure to be much more widely read. The trained and conventional historian has much to learn from the work in the art of making ancient history alive again for us; but Ferrero has also much to learn from the trained and conventional historian in the scientific handling of authorities, the avoidance of rhetorical contradictions and exaggerations, the subjection of theory to fact.

Caesar had three great ideas: the reconstitution of the national democracy in 59; the application to the North, that teeming source of peril to the Italian peninsula, of the imperialism of Lucullus in the East; and the establishment of a constitutional monarchy. In the third alone was he unsuccessful, and here only partially, since Augustus built on the broad foundations which he had laid. Caesar was, it is true, a destroyer of the Old, but he was also a founder of the New.

B. PERRIN.

*Ancient Britain and the Invasions of Julius Caesar.* By T. RICE HOLMES, Hon. Litt.D. (Oxford: Clarendon Press. 1907. Pp. xvi, 764, 16.)

MR. RICE HOLMES is well known as a military historian and the author of a valuable book on *Caesar's Conquest of Gaul*, to which this volume on Britain is a natural sequel. But the present work, which began as a study of Caesar's invasions, has expanded in the author's hands until it has become a survey of the whole history or pre-history of Britain down to the arrival of the Romans, and only the closing chapters of the completed book—about one-sixth of the body of the narrative—deal with the campaigns of Caesar. After a preliminary sketch of the history of archaeological science in Britain, Mr. Holmes discusses the Ice Age and the first appearance of palaeolithic man. Then he traces step by step the successive races—"long barrow" and "round barrow" men and the later invaders—which entered into the British population up to the Roman period. The physical type of each is described, its geographical distribution, its archaeological remains and the probable character of its civilization. For the earlier periods, of course, the inferences with regard to civilization are few and doubtful; but for the later age of Celtic occupation materials are abundant, though not always of certain interpretation. In dealing with these varied problems, which involve knowledge of palaeontology, anthropology, archaeology, and classical and Celtic linguistics, hardly any scholar is able to write steadily with expert knowledge; and yet the subject is of single interest and invites treatment by a single hand. The

results of philological and anthropological investigation cannot be severed, and the two groups of specialists have to take account of each other as best they can. Mr. Holmes has coped very successfully with the difficulties of the situation, and his survey of the field is comprehensive and trustworthy. He shows wide and thorough acquaintance with the literature of the various sciences concerned, and his references constitute in themselves a valuable bibliography. In matters of doubt he is generally cautious in statement, particularly in the body of the work (a more positive tone appearing in his controversial appendixes); and when he departs from received opinion, he is careful to make the fact apparent to his readers. His criticism is shrewd and incisive—sometimes rather vivaciously personal, as where he refers (p. 291) to "that powerful but erratic engine, the mind of Professor Rhys". It ought to be said, however, that the inconsistencies cited from the successive works of Professor Rhys are by no means altogether to the discredit of that open-minded scholar. Mr. Holmes manifests a certain condescension towards professors and a preference for the judgment of practical men (witness his contrast of "editors" and "soldiers" on page 688); but the bookmen will pardon this in a fellow-professor who takes such scrupulous account himself of the ancient documents and modern commentaries with which he has to deal.

It is hardly possible in a short review to give any useful summary of so extensive a work or to call attention to all the doubtful questions which it raises. But a few cases may be mentioned when Mr. Rice Holmes takes issue with received or current doctrine. He displays commendable skepticism with regard to the theories of M. Salomon Reinach which explain the domestication of animals as an outgrowth of totemism and attribute the discovery of the working of metals to the processes of primitive magic (see pages 55 ff. and 121); and he urges valid criticisms (pp. 278-279) against the same scholar's wholesale denial of the existence of Celtic national gods. The origin of Druidism he assigns to a pre-Celtic population, a view which has found favor of late, for both archaeological and linguistic reasons. In his account of the ethnology of Britain, Mr. Holmes emphasizes the difficulties of the usual doctrine that the "round barrow" men were, from the first, speakers of Celtic. He tries to reclaim the name "Celtic" for a tall, dolichocephalic race, though he admits that there was race-mixture wherever the language was spoken. He contends also for a later date than has been recently urged for the arrival of Celtic speech in Britain.

In the closing chapters, where by reason of his previous studies the author is perhaps best entitled to be considered an expert, he expounds with much fullness Caesar's narrative of the invasions and illustrates it by many references to other sources of information about Gaul and Britain. In a long appendix he reviews the controversy concerning *Portus Itius* and pronounces decisively in favor of the identification with Boulogne.



The general arrangement of the book is intended to serve at once the interest of the scholar and of the general reader. Detailed discussions are relegated to the appendixes, and the text is kept free for the development of the main exposition. In spite of this provision the movement is occasionally clogged and the meaning obscure; but for the most part Mr. Holmes's presentation of the subject is clear, vigorous and extremely readable.

F. N. ROBINSON.

*The History of the World. A Survey of Man's Record.* Edited by Dr. H. F. HELMOLT. Volume VI. *Central and Northern Europe.* (New York: Dodd, Mead and Company. 1907. Pp. xiii, 669.)

THIS volume, nominally the sixth, is the eighth in order of publication, and completes Helmolt's great undertaking. Though the chapters by different authors are of unequal value as indicated below, as a whole this account of the early and medieval history of Western Europe appears to reach the high level of the earlier volumes and to be quite superior to the eighth volume recently noticed in this REVIEW. It is addressed more to scholars but is necessarily too brief to satisfy them. It is pervaded with the spirit of Lamprecht and Ratzel, but at the same time has drawn heavily from Ranke. It does to a considerable degree justify the hope expressed in the preface "that it will supply a reliable basis for research wherever the study of comparative ethnology is pursued upon those principles which Karl Lamprecht has illustrated in theory and practice".

As in the other volumes the translator has done his work well. The long involved German sentences have their full meaning rendered in smooth, suitable English. Through a misunderstanding of the German he speaks of Clovis as an Arian before the famous conversion to Roman Catholicism (p. 60), and he refers to the Finns as Indo-Germans (p. 6), but such cases of missing the meaning are rare. Dr. Helmolt read every page of the German edition and then passed over the proof-sheets to his father and his sister Elsa. The English edition has not enjoyed such fond care. There are nearly forty misprints of dates and names. There are several excellent maps, genealogical tables of unusual detail on obscure or lesser ruling families, and a score of illustrations which have real historical and some artistic merit.

The opening chapter by the archaeologist, Dr. Weule, and by a native of the Baltic, Dr. Girgensohn, is an excellent sketch of the importance of the Baltic in history from the earliest times to the present day. Besides tracing in turn the Hanseatic, Swedish, Russian and German periods of dominant influence, it serves to transport the reader from Eastern Europe (in vol. V.) to the chapters on Central and Northern Europe which form the subject-matter of the present volume.

Professor Heyck then discusses briefly and clearly the question of Indo-Germanic origins as far as the Germans and Kelts are concerned. Three pages is a short space in which to explain how and why the Teutonic and Keltic languages arose out of dialects once mutually understood, but he has done it well and wholly in accordance with most recent philological theory. A colored ethnographic map (based on Roderich von Erckert), 500-50 B. C., helps to make clear the process by which the Kelts were crushed westward between the Germans advancing from the North and East and the power of Rome which was growing steadily stronger on the South. He essays an interesting comparative constitutional study of the early law and custom of the Germans of Tacitus and Caesar with that of the original Keltic peoples, drawing his evidence largely from Irish and Highland Scotch survivals. The differences of course are many and marked; some of them he tries to trace back to primitive groups of an Indo-Germanic people before the process of development and divergence had gone far. Incidentally he is inclined to overemphasize the existence of "race characteristics" in peoples. "Among the general characteristics of the Kelts were their stately carriage, their light complexions, their amiability, bravery, love of war, and liveliness, and intellect of somewhat unpractical nature and inclined to pride, superficiality, and self-laudation; at the same time they had a sense of humour and love of oratory and grandiloquence; but also a strain of poetry and the true spirit of Chivalry" (p. 126). To this he adds "their political incapacity", their "preference for highly colored clothing", and a disinclination "to wear trousers" (p. 138); and after pointing out that the Kelts possessed the three main alcoholic liquors which have appeared in the course of civilization (beer, wine and brandy), asserts that the wooden cask was invented in Gaul.

The history of France from the time of Clovis to the Hundred Years' War is treated by Dr. Mahrenholtz not chronologically but topically, and in a rather muddled manner. He also falls into several misstatements which space forbids us to note. Dr. Walther's sketch of the western development of Christianity to 1517 A.D. is concise but a little perfunctory; it does not make the papacy stand forth as a great and well-organized international power. Passing to two practical movements for which Christian enthusiasm was partly responsible there are excellent chapters on the colonizing crusades of the Germans east of the Elbe and on the crusades to the Holy Land. The former, by Dr. Mayr, analyzes Slavic conditions east of the Elbe about 1000 A.D. and then traces the systematic "colonization" from the West. So far as I know, this is not only the best general account of this subject in English, but is unsurpassed as a brief account by anything in German. Dr. Clemens Klein, besides giving an excellent narrative of the Crusades, seeks to emphasize their importance as an index of medieval thought and life, and to show the great influence of the East upon the development of the West. The thankless task of setting forth the medieval

history of Italy Dr. Helmolt has taken upon his own shoulders, and acquitted himself as well as might be; but as Ranke has said, only a collection of provincial histories could provide a true picture of the general history of Italy.

Most of the volume deals only with events prior to the Reformation, but an exception is made in regard to the Scandinavian countries and Great Britain, which are brought down to date. The chapter on the former is by a Norwegian, Dr. Schjøth, and appears to be scholarly but dry. As the chapter on England in the German edition smacked rather of the text-book and often placed the emphasis wrongly, Dr. Helmolt was fortunate in having this part of the English edition wholly rewritten by an Englishman, Mr. H. W. C. Davis. By almost total omission of military events he has made room in 150 pages for a good brief sketch of English political history, with more than usual attention to economic and constitutional matters, and some happy, though very brief, characterizations of English men of literature.

SIDNEY B. FAY.

*Le Japon: Histoire et Civilisation. I. Le Japon Ancien. II. Le Japon Féodal. III. Le Japon des Tokugawa.* Par le Marquis DE LA MAZELIÈRE. (Paris: Plon, Nourrit et Cie. 1907. Pp. cxxxv, 569; 406; 623.)

MARQUIS DE LA MAZELIÈRE, who has already published several works on East Asiatic civilization, comes forth with the most comprehensive work ever published in French on the history and civilization of Japan. The present three volumes bring the account down to the end of the eighteenth century, while the two volumes yet to appear will complete the entire historic period to date. The author has thought it best not to make specific references in the pages, but has placed an extensive bibliography at the beginning of each section. The works therein referred to include several Japanese books in translation and many original essays on Japan written in European languages, but none of the vast amount of sources and literature in Japanese which have not been translated, and the knowledge of which is likely almost completely to eclipse the information upon which the present work is based. The author, supply though he did this limited source of information with his personal knowledge gained from travel and observation, has in the main been obliged to make heroic efforts to exhaust all that could be got through the medium of Occidental languages and to make the best of what was thus obtained. The student in the field will be compelled to admit that the marquis has succeeded in giving to the world an intelligent and fairly complete summary of what Europe knows of Japan.

The first volume is devoted to Ancient Japan (from the earliest times to the beginnings of feudalism). It opens with a long introduction, in 135 pages, treating of the origins, the peculiarities, and the inter-

relation, of Occidental and Oriental civilizations; and parallels to be found in the history of both: the decay of old civilization, invasion of barbarians, feudalism, renaissance, absolute monarchy, and revolution. This world-wide outlook and constant endeavor to find historical parallels in Japan, the rest of Asia, and Europe, form one of the characteristics of the author's treatment. This will afford stimulus and suggestiveness to many readers, but I dare think that there will be others who would value the work no less were this phase of the treatment entirely absent.

The institutional side of this volume, as in the other two volumes, is the least satisfactory, perhaps because the most poorly represented in the bibliography on which the author relied. Another difficulty which seems continually to have beset him is that of making the desirable topical discussion of such matters as religion and social life without disturbing to a great extent the historical sequence of data. Examples of errors of this kind are too numerous to be cited. Let it suffice to refer to the seriously inaccurate statements regarding the *buke* and the *kuge* (p. 236), the *han* (p. 260, II. 13), and the artisan class (p. 262). The history and art of the Nara period, as well as the relation of the so-called esoteric Buddhism to the art and court life of the next period, are far too inadequately treated.

The author shines forth on some points with the brilliancy of his insight. For example, his discriminating remarks on the ancestor-worship in China and Japan, on the characteristic traits of the Japanese woman, and on the distinction of Laoism and Taoism, are, in their main contention, quite illuminating, though not perhaps always convincing.

In regard to the second volume, also, which takes up the Feudal Japan (from the rise of feudal forces till the anarchy of the sixteenth century), it is safe to consider its institutional side the weakest, and the side relating to customs and manners the strongest. The story of the literary and moral life of the people is full of sympathy and suggestion, though the author is naturally prone to subjective explanation on those points about which he does not command sufficient data. Allowing this fundamental limitation to the merit of the work, everywhere one cannot help admiring the author's wonderful combination of love of concrete facts with taste for cogent generalization.

This latter quality is shown at its best, and, as some critics would say, even at its furthest proper limits, in the third volume. The author with all his labored argument could not expect every student to agree with him in regarding the age of Oda and Toyotomi as one of renaissance and the régime of the Tokugawa as an absolute monarchy. Nor would the parallels he finds in the history of Japan and Europe of the respective periods seem in all cases convincing. He still regards Pinto as one of the first European discoverers of Japan, and his narrative of events leading up to the policy of foreign exclusion appears not so

good as his treatment of some other matters. Political incidents and social customs are, again, as well described as could be expected, but the economic progress and institutional growth might have been better analyzed and more accurately set forth, had he applied to these fields the acumen which he displays in the departments of history requiring less skill in analysis. His description of the social life of the eighteenth century in Edo and the Tokaido is clever and full of feeling. His chapters on the arts, in this and in the second volume, are full, but lead one to think that the author has not made as extensive studies in the earlier periods of art history as in the later.

Throughout the volumes, extracts from Japanese works are copiously cited in translation. The fact that these works are mostly literary and that the translations are often faulty will show to the student of history that their use in illustrating the life of the people has its advantages and risks. In spite of this and many other things in this work to which exceptions are liable to be taken, one cannot but heartily congratulate Marquis de la Mazelière on his very useful work, and wait with interest its remaining two volumes on modern Japan.

K. ASAKAWA.

#### BOOKS OF MEDIEVAL AND MODERN EUROPEAN HISTORY

*Die Päpstliche Pönitentiaria von ihrem Ursprung bis zu ihrer Umgestaltung unter Pius V.* Von EMIL GÖLLER. [Bibliothek des Kgl. Preussischen Historischen Instituts in Rom. Band III.] Erster Band. *Die Päpstliche Pönitentiaria bis Eugen IV.* I. Teil. *Darstellung.* II. Teil. *Quellen.* (Rome: Loescher and Company. 1907. Pp. xiv, 278; v, 189.)

In the later Middle Ages the papal penitentiary was one of the most important departments of the central government of the Roman church. A cardinal major penitentiary stood at its head, assisted by several minor penitentiaries and a large clerical staff, and it had its own forms and fees and rules of procedure, as well as its manuals and formularies and registers. From its formal organization in the thirteenth century until it lost its jurisdiction over the *forum externum* in 1569, the penitentiary administered the ever-increasing mass of cases in which the sole power of absolution and dispensation was reserved to the pope, and it has a claim upon the attention of historical students, not only as a branch of the papal government second only to the chancery and the camera, but also as an influence of the first importance upon the moral life of European Christendom. Strangely enough, the penitentiary is very little known, in spite of the light thrown upon particular phases of its activity by Denifle, Lea, and Lang, and there is great need for such a thorough and comprehensive study of the institution as Dr. Göller promises to give us.

The sources for the history of the penitentiary are small in bulk

when compared with the abundant material available for the chancery and camera in the same period; more than four thousand volumes of its records were transported with the papal archives to Paris in 1810, yet the present archives of the bureau, rigorously closed to historical investigation, are said by the cardinal in charge to contain nothing earlier than the middle of the eighteenth century. Its registers have almost completely disappeared, but while their loss is to be regretted for the information they contained upon other matters, it is possible to reconstruct the organization and procedure of the penitentiary with tolerable accuracy and completeness from the working tools of the office which have survived in the form of manuals, tax-lists and formularies, as well as from the records of other departments of the papal administration. Of these the formularies are the most valuable, and properly receive chief attention from Dr. Göller. To the formularies already known (*cf.* Haskins, "The Sources for the History of the Papal Penitentiary", *American Journal of Theology*, IX, 421-450) he has added but two, but he has described the others more fully and examined their relations with more care than any previous writer. The papal registers and the archives of the camera have also yielded a considerable body of new material. It is plain that the author has made good use of his opportunities for research in the archives and libraries of Rome, but his investigations outside of Rome have evidently been confined to manuscripts mentioned by Lang and the reviewer, nor has he seen all of these. It is a pity, especially when dealing with a bureau whose archives have been so widely scattered, that Dr. Göller has not thought it worth while to explore systematically collections outside of Rome, at least such Italian libraries as the Ambrosian at Milan, where he might have found a copy of the formulary of Benedict XII, which is unknown to him. The result is particularly unfortunate for the diplomatic side of his work, for which he has utilized the statements of the manuals and formularies but has made no study of the original letters of the penitentiary, contenting himself with summarizing Lang's account of documents in Vienna and referring in a note to two others which have been brought to his attention by friends—a second-hand and distinctly unsatisfactory sort of diplomatics.

The great merit of the work, apart from the documents which make up the second section, lies in the careful account of the organization and procedure of the penitentiary and the functions of its officers and in the valuable list of major and minor penitentiaries. There are some interesting pages on the relation of the institution to the reform movement of the fifteenth century, and two special studies upon the bull *In Cena Domini* and a phase of the plenary indulgence. The taxes of the penitentiary and the history of public penance, though belonging in part to this period, are reserved for the second volume, which will carry the history to Pius V.

The collection of documents is of great value, and appears to have

been published with care. When they have been in print before, the editor has not, however, always mentioned the fact, and he has generally shirked the labor of identifying persons and places, to the inconvenience of the reader and in one instance to the misleading of the editor himself in a matter of some importance. In the article cited above the reviewer described briefly a formulary of petitions to the penitentiary now preserved in the Vatican archives, and suggested (p. 442) that "the absence of any documents from France or Spain in a collection which contains petitions from Germany, Italy, Hungary, and even distant England, Poland, and Portugal, points to the period of the Schism and the territory of the Roman obedience." This formulary Dr. Göller considers important enough to print in full (part II, 147-171), but the statement that the collection contains no Spanish or French documents he characterizes as "falsch wie Nr. 28, 31, 40 zeigen, und demnach die daraus gezogene Folgerung unrichtig" (part I, 55, note 1). Now no. 28 relates to the diocese of Braga and no. 40 to that of Lisbon, and Dr. Göller, though he does not identify them for the reader, surely knows that these places were, and are, in Portugal and not in Spain, and that during the Schism Portugal was for some time subject to Rome. There remains no. 31, which has to do with a priest and papal subcollector, Arnoldus de Casalibano, "Aquensis diocesis". This, as far as the Latin word goes, may designate the diocese of Aix in Provence, Dax in Gascony, or Acqui in Lombardy, but Dr. Göller jumps to the conclusion that the collector referred to in the petition is a Frenchman and the petition accordingly anterior to Urban VI. Now the mention of the bishop in the course of the document rules out Aix, which was an archbishopric, and while it would require some research among the collectors of the period to decide definitely between Dax and Acqui—the most probable identification of Casalibano is Casaubon or Cazaubon in Gascony—both of these dioceses were in the Roman obedience, since Dax was for the most part subject to England and is known to have received bishops and collectors from Rome under Urban VI. and Boniface IX. Dr. Göller's statement is itself "falsch", and while the reviewer would gladly welcome any further light upon the formulary in question, he has a right to demand some attention to fundamental matters of historical geography on the part of those who attack his premises.

CHARLES H. HASKINS.

*The Stannaries: a Study of the English Tin Miner.* By GEORGE RANDALL LEWIS, Ph.D. [Harvard Economic Studies, volume III.] (Boston and New York: Houghton, Mifflin and Company, 1908. Pp. xviii, 299.)

THIS is an important piece of work well performed. The tin mines of Britain appear at the very dawn of our historic knowledge of the island as its special attractiveness to foreign traders; accompany its

whole story as an influential and picturesque element; and are still today an essential part of the life of the southwestern counties, and a factor in the national policy. Moreover the tin mines and the tin miners have always stood in a peculiar and far from easily understood position; in a certain sense monopolized and exploited by the crown; in another sense privileged and favored beyond other interests and other classes of inhabitants. It is this interesting and obscure history that Mr. Lewis has elucidated in the present volume.

The first chapter is devoted to a description of the mines themselves and the technical processes of extracting and smelting the ore. The use and the distribution of the tin in England and abroad naturally follow. This leads to some study of the administrative relations of the government with the miners. There are really, as the author points out, two quite different conceptions suggested by the term "the stannaries", first, the mines themselves, secondly, the political organization of the men who worked in them. It is the second of these phases, naturally, that especially interests the historian. The most important single characteristic of the stannaries is doubtless the fact that they were a royal monopoly, the tax levied upon the production of tin being a valuable source of income to the crown. The desire of the king to conserve and extend his revenue meant favor and encouragement to the tin miners, the early recognition of the customs that grew up among them, and royal support of their privileges against the landowners of Devon and Cornwall.

These stannary customs and the organization built up upon them took shape, like so many other English institutions, in the early Angevin period. As early as 1158, apparently, "bounding" was recognized. This was the right of anyone to dig tin wherever he could find it, whether it were on the lands of the king or of any other landlord. Laborers and in fact all who chose to seek for tin were taken under the judicial protection of the king, even if they were villeins, and were early given the advantages possessed by tenants of "ancient demesne". That is to say, serfs could not be reclaimed by lords from whom they had withdrawn themselves. All miners of tin were at liberty to dig turfs and to buy fagots for smelting, wherever they could find them, and to turn aside watercourses when needful for the purposes of their work. These old customs were, as in the towns and similar bodies, formulated in charters, the first stannary charter being granted by King John in 1201.

The king's interest in and control over the stannaries were first put in the hands of the official known as the "warden" in the year 1198. To secure the payments due to the king successive wardens issued a large body of law and regulation, and to guarantee the privileges and enforce the duties of all those connected with the tin industry, an extensive system of jurisdiction was developed. There were eight geographical divisions of the stannary courts within the two tin-mining



counties, each with its steward and bailiffs; and no tinner was amenable to any jurisdiction except that of the stannary courts. With some slight modifications in 1305, this regulation remained the basis of law in the stannaries for several centuries.

A chapter on early mining law, the third in the book, is something of a digression, carrying the writer and the reader as it does into a study of the law of the stannaries as compared with that of other forms of mining in England and as compared with the mining law of other countries of Europe.

The remaining five chapters contain a detailed account of the political history, the conditions and the institutions that have been outlined above. The wardens, vice-wardens, stewards, and their courts; the "tinnners' parliaments"; the fiscal relations of the stannaries to the crown; the rights of the duchy of Cornwall; the custom of farming the tin mines; the relations of the tinnners with the privileged pewterers of London; the internal arrangements of the trade and the mutual relations of the actual workers in the tin mines—all make an interesting story told in considerable detail and with a most scholarly and exhaustive use of sources, most of which are manuscript. In this book historians have at their service, for the first time, a clear, adequate and interesting explanation of what has formerly been a poorly comprehended institution, and the narrative of a previously unwritten chapter of English history. The most important of the documents and many statistics are printed in a series of appendixes, and a slightly overgrown bibliography gives final testimony to the thoroughness of the author.

E. P. CHEYNEY.

*Venice. Its Individual Growth from the Earliest Beginnings to the Fall of the Republic.* Volume I., Part II.; Volume II., Part II. *The Golden Age.* By POMPEO MOLMENTI. Translated by HORATIO F. BROWN. (Chicago: A. C. McClurg and Company; London: John Murray, 1907. Pp. viii, 280; viii, 331.)

THIS second installment of Mr. Molmenti's work contains nothing which differentiates it in method and general character from part I., published in 1906 and noticed in this REVIEW (XII, 866 ff.). The vague and infelicitous title continues to cloak the fact that we have here a book dealing primarily with Venetian civilization; the chapters, though crowded with rich and valuable material, are conspicuously ill-jointed; and the mass of details never composes into an impressive picture of the whole. The author's viewpoint is substantially that of the antiquarian to whom every order of fact is equally important. He withdraws a curtain for a moment, affording us a glimpse of his personality, when he writes (I, 149) "it is with a certain intimate pleasure . . . that we read even the bare name (of a Venetian artist) painted in the corner of a picture." Of the man who wrote this we may be sure

that he thrills to every direct contact with the past, and that his book represents a lifetime spent in a labor of love, but we may also be certain that he is in danger of sacrificing the large relations of his subject to his passion for minutiae. In any case it is minutiae that he gives us, and two volumes of them, swept together in a rather haphazard fashion, are not likely to prove easy or pleasant reading.

Nevertheless, though the form of the book leaves much to be desired, the material, bearing on the civilization of Venice in the period covered by these volumes—the period of the Renaissance—is not only vast but most carefully weighed and sifted. A necessary by-product of this labor of erudition was the removal of the countless cobwebs which the fancy of man had spun around both institutions and individuals, obscuring their true outlines. Owing to the secret procedure and sudden punishments associated with the institution of the Ten, Venice, more perhaps than any other European commonwealth, has been exposed to the operation of the legendary instinct. "The story of the *povaro Fornareto*", the baker's boy unjustly executed in 1507, will have to be relegated to the realm of mythology (I. 37); the equally famous story of the Doge Pietro Ziani, who planned to remove the capital of the Venetian empire to Constantinople, loses much of its lustre and all of its verisimilitude (I. 60); and many an exciting adventure of the cloak-and-dagger variety, attributed to the great painters and sculptors, must be abandoned in view of the prosaic proof that most of these gentlemen lived an uneventful bourgeois life, concerned with nothing more exciting than the maintenance of their families and the pursuit of their profession (chapter VII.). If some elaborations of a tinsel romance receive the death-blow by this search for authenticity, the loss is more than made up by the recovery of the true features of the period. The chief benefit resulting from this disclosure of the unvarnished truth accrues to the Venetian state itself. The total impression of the single chapter dealing with the state is that the government, whose cold and reasoned procedure aroused among its neighbors such mingled fear and hatred, was the most just, far-seeing and humane to be found in contemporary Europe (chapter II.).

The information collected in these pages ranges over the whole field of civilization from such matters as climate and health to the highest achievements of art. Of course the material is not all equally novel and important. The review of architecture, sculpture and painting (chapter V.) follows the traditional lines, and where it exhibits independence is not entirely convincing. To acclaim Giorgione as the Byron of painting shows a fundamental misunderstanding of one or the other or of both. The chapter on the industrial arts, on the other hand, is a valuable and appreciative review of the famous activities of the Venetians in bronze, wood, glass, leather, lace and stuffs. It is contended by the author, and established with the aid of trade

figures, that this industrial activity was taken up just in time to fill the gap produced by the failure of commercial enterprise. By virtue of it, Venice in the sixteenth century, though no longer drawing wealth from the Orient, continued to maintain her splendid position in the European world. The account of Venetian festivals as an instance of the national love of pomp is very satisfactory, as is also the description of the educational equipment and ideals (chapter VIII.) and the story of the passion, amounting to mania, for magnificent residences and villas (chapter XI.). Nothing is omitted that might interest the antiquarian, and nothing is treated as casual and subsidiary. In fact it is this indiscriminating thoroughness that creates the conviction in the reader that to have given less would be to have given more.

The numerous and excellent illustrations deserve a word of commendation. They constitute an array of first-hand historical material, no less important as a guide to the serious student than the copious and learned foot-notes.

FERDINAND SCHWILL.

*Saint Catherine of Siena: a Study in the Religion, Literature and History of the Fourteenth Century in Italy.* By EDMUND G. GARDNER, M.A. (London: J. M. Dent and Company; New York: E. P. Dutton and Company, 1907. Pp. xix, 440.)

THIS book should supplement if not supersede all previous treatment in English of ecclesiastical history in Italy during the last half of the fourteenth century. Under guise of a biography of that lovable and forceful woman, Catherine of Siena, Mr. Gardner has presented us with a close study of her bewildering age. He has made use of much fresh material; the result is a book which gives for the first time a satisfactory chronology, rectifies many misconceptions, and leaves us with a full and rational account of the progress of events.

In thus viewing Catherine as the centre of the history of her times, Mr. Gardner follows the tradition of the excellent *Life* by Capececiatratro, rather than that of Mother Drane and the religious enthusiasts. A devout spirit notably marks the book. Yet Catherine's character is rather taken for granted than studied, and the treatment of her private and mystical life fails to admit us in any new way to the intimacy of this amazing woman. It would be possible, without falling into sentimental fervor, to penetrate Catherine's secret more deeply than any biographer has yet done, and so to interpret temperament and inner experience as to make her sanctity more comprehensible to modern readers. But this is not the aim proposed to himself by Mr. Gardner; and if his portrait of the saint leaves us a little disappointed, we realize that we could ill spare the additions to our knowledge of her external history.

It is when Mr. Gardner advances into the troublous public life

of the times that he works with a free hand and with rare mastery of his subject. The events related to the rebellion of the Tuscan cities and the return from Avignon are narrated with clear and satisfying precision. Mr. Gardner writes as a Catholic; but his attitude is entirely impartial, his sympathy with Florence undisguised. The Christian as well as the patriotic ardor which inspired that ever-fascinating city in her struggle against Catherine's "sweet Christ on earth", is finely shown: "Today", quotes the historian from the *Diario Anonimo Fiorentino* "they left off singing mass", in obedience to the Interdict, "and no longer celebrated the Body of Christ to us citizens and contadini. But we see Him with our hearts, and God knoweth that we are and shall remain true Christians."

It is in the chapters dealing with the Great Schism that this book reaches its highest value. While Mr. Gardner makes use of the work of M. Noel Valois, he has also as everywhere gone to the sources, and his researches throw much light on the extraordinary events which led to the disruption of Christendom. As we read attentively the painstaking account here given of the election of Urban, we are forced to an unexpected conclusion: not all the flaming conviction of Catherine's very feminine though able letters can prevent us from feeling that hesitation between the claims of the rival popes was a conscientious necessity. One is reminded of the exordium of Browning's *Innocent*, in *The Ring and the Book*. For the legality of Urban's election apparently depended, not on a question of literal facts, but on the interpretation of an especially confused state of mind: a subtle matter on which to hang the true succession to the See of Peter.

Some remarkable personalities stand out clearly in these pages, and many valuable corrections are given. For example, the melancholic friar who wrote two desperate letters to Neri dei Pagliaresi, and over whom romantic speculation has run riot, is now proved from the manuscripts to be Fra Simone of Cortona; and the anonymous critic of Catherine's austerities, to whom she wrote a truly saintly letter, is revealed as El Bianco, a poet of the Gesuati, whose misnamed "Laud" upon the saint has hitherto escaped attention. One of the most valuable features in Mr. Gardner's book is his translation of many letters direct from manuscripts. Often he gives interesting emendations; for example, in letters 173, 209, 210, 273, 284, 310, 329, 344, 370, 379 (Tommaso's edition). Especially are we grateful for a fuller and more correct text of those last letters to Raimondo which constitute a unique record of the consciousness of a saint "in articulo mortis". Moreover, we have in an appendix the text of eight new letters, six entirely unknown, two previously printed in imperfect form. Of these, the most striking is the dramatic letter written in the summer of 1378 to the Florentines, after the ungrateful city had all but bestowed on Catherine the crown of martyrdom. This spirited, pathetic document will rank among the most important letters of the Seraphic Virgin.

All this is great gain. But every student of Cateriniana echoes the opinion of Mr. Gardner as to the need of a critical edition of the saint's correspondence. No one can read it carefully without suspecting that a number of letters would in a sister-art be labelled "*Scuola di Santa Caterina*". Even the best letters are often garbled. Let us hope that Mr. Gardner will fulfill his hinted promise and give us the new edition himself. No other English scholar is so fitted for the task.

VIDA D. SCUDDER.

*The Inquisition in the Spanish Dependencies: Sicily, Naples, Sardinia, Milan, the Canaries, Mexico, Peru, New Granada.* By HENRY CHARLES LEA, LL.D., S.T.D. (New York and London: The Macmillan Company. 1908. Pp. xvi, 564.)

THIS supplementary volume brings to a close Mr. Lea's long labors upon the history of the Spanish Inquisition. One region, indeed, in which at Spanish hands the Inquisition played a notable rôle, his studies have not reached; and to the many who owe their interest in its story to the indignant eloquence of Motley the omission of the Netherlands will seem no trifle. But the Inquisition of the Netherlands, though in Spanish hands and Spanish enough in spirit, was not the Spanish Inquisition. For years, too, an eminent Netherlandish scholar, Paul Fredericq, has made his own the gathering of its documents and the narration of its history.

In the dependent territories dealt with by the present volume Mr. Lea goes less into detail than with the Inquisition in Spain; and much more largely than for Spain he could rest upon the researches of other students. Thus, for Sicily, he had not only the old accounts of Páramo and Franchina, but the modern one of La Mantia; for Naples, the elaborate studies of Amabile; for the Canaries, the bulky history by Millares and the catalogue of the documents now treasured by the Marquis of Bute; while, for all the American tribunals and for that of the Philippines as well, the Chilean scholar Medina has paved the way with monographs to whose worth Mr. Lea pays generous tribute. Yet, in all these fields, Mr. Lea's own studies not only equip him for independence of judgment, but enable him to contribute fresh materials.

That Sicily holds the first place in the volume is doubtless due to the especially close relations of its Inquisition with that of Spain. Yet, dreary as is the story of its effectiveness, it falls notably short of the Spanish model. Its career, too, was a briefer one. The transfer of the island, in the eighteenth century, to Savoy and then to Austria seems not seriously to have interrupted the tribunal's activity as the protector of souls; but, when in 1734 the Two Sicilies came into the hands of the liberal prince who was one day to be Charles III. of Spain, a blight fell on its energies, and in 1782, in obedience to public

opinion, it was formally and finally abolished. A postscript to the chapter on Sicily tells how Malta, too, had in the early sixteenth century, when it was a dependency of the larger island, its share of the Spanish Inquisition; and how, even after in 1530 the island had been given to the Knights of St. John, that tribunal for a half-century struggled to maintain its authority there.

In Naples, on the other hand, the Spanish Inquisition never succeeded in establishing itself; and the chapter devoted to that kingdom is the story of the long and successful struggle which kept it out. The Neapolitans were at last content, however, to tolerate the papal Inquisition in its stead; and Mr. Lea declares (p. 97) that, as there administered, "there was nothing to choose between them". His comparison of the two, since it is all we may hope from him on the Roman Inquisition is well worth quoting in full. "There were the same confiscation and impoverishment of families. There were the same travesty of justice and denial of rightful defence to the accused. There were the same secrecy of procedure and withholding from the prisoner the names of his accuser and of the witnesses. There was the same readiness to accept the denunciations and testimony of the vilest, who could be heard in no other court, but who, in the Inquisition, could gratify malignity, secure that they would remain unknown. There was even greater freedom in the use of torture, as the habitual solvent of all doubts, whether as to fact or intention. There were the same prolonged and heart-breaking delays during which the accused was secluded from all communication with the outside world." Yet Naples was at least saved from the use of the Inquisition as a political tool of Spain; and before the middle of the eighteenth century it was free from even the Roman tribunal.

The island of Sardinia, as a part of the kingdom of Aragon, had no claim to such immunity, but was fully a sharer in the Spanish Inquisition till in 1708 it ceased to belong to Spain. Milan, on the other hand, though from 1529 to 1707 a Spanish possession, was as successful as Naples in resisting the introduction of the Spanish tribunal; but, in retaining the papal one, Mr. Lea again is doubtful "whether the Milanese gained much". In the Canaries the Inquisition of Spain had of course free hand, the most interesting episodes in its sordid career there being its seizures of the foreign merchants and sailors whom trade brought to the islands.

But to Americans the most startling chapters in all Mr. Lea's work are doubtless those in which he makes vivid the long activity of the Inquisition on our own side of the Atlantic, and even in regions now a part of the United States. The attempt, in the seventeenth century, to introduce it into Florida seems to have ended in failure; and as to Louisiana his researches reveal nothing beyond the story, already familiar through Gayarré and Fortier, of the Capuchin who in 1789, announcing to Governor Miró his appointment as a commissioner of

the Inquisition, was forthwith packed home to Spain. But Mexico from 1570 to 1820 was equipped with a special branch of the Spanish Inquisition, and from the Isthmus to California its authority was effective, as even the governors of New Mexico learned more than once to their cost. There was, and Mr. Lea thinks this worthy of remark, no pressure from Rome to extend the Inquisition thus to the New World; and that from the first, throughout America, the Indians were exempt from its jurisdiction may have had its suggestion in the wise and temperate advice given to Philip II. regarding them by that fierce persecutor of heretics Pope Pius V.—though Mr. Lea ascribes it only to the colonial contempt for their intelligence. It was only for sorcery that they sometimes fell into its clutches. What the Inquisition in America was expressly aimed against was the spread of Protestantism to this side of the sea; and the part taken by captured Englishmen in the autos de fe demonstrates its usefulness. At a later day it proved as useful against political liberalism. But the great bulk of its business, in the colonies as in Spain, was with the minor slips, in faith and morals, of the orthodox themselves. The chief differences in the working of the colonial tribunals seem to have been their greater independence of the central authority, due to the slowness and infrequency of communication, their constant collisions with the local powers, civil and ecclesiastical, and the greater ease and safety with which they could be made to serve the vindictiveness, the ambition, or the greed of their officials.

In the Philippines the Inquisition, like the political administration, was a dependency of that of Mexico. The natives, as in America, were exempt from its control, and it found little enough of heresy to punish; but it seems to have kept the civil government in a ferment and to have succeeded admirably in the exclusion of knowledge and the discouragement of thought.

The tribunal of Peru, established, like that of Mexico, in 1570, included all Spanish South America in its jurisdiction until in 1610 there was created the new one of Cartagena, whose territories were to comprise not only what is now Colombia and Venezuela, but all the Spanish islands of the West Indies. Even thus restricted, both jurisdictions proved far too large for effective administration; yet they enriched their officials and succeeded so far in shutting out ideas that in 1774 a Bogotá physician could be solemnly tried as "the first and only one who, in this kingdom and perhaps in all America", had publicly declared himself in favor of the Copernican system. Once admitted, however, intelligence spread fast. Long before its formal suppression in 1820 the Inquisition was everywhere the object of a popular detestation which has not yet died out, and which utters itself through the native historians in pages far more bitter than those of Mr. Lea.

GEORGE L. BERR.

*Geschichte der Jesuiten in den Ländern Deutscher Zunge.* Von BERNHARD DÜHR, S.J. Erster Band. *Geschichte der Jesuiten in den Ländern Deutscher Zunge im XVI. Jahrhundert.* (Freiburg im Breisgau: Herder. 1907. Pp. xvi, 876.)

THE Society of Jesus has never lacked self-consciousness. Born in an introspective and a scribbling age, autobiography was its earliest habit. Ignatius Loyola himself at its birth laid bare for the spiritual training of his followers the innermost experiences of his soul; and amid the crowding cares of his later years he found time to dictate his memories of a life which, as he himself declared, but mirrored that of his order. The order which thus he created after his own image he encouraged to a like self-revelation. His earliest and most docile disciple, the Savoyard Peter Faber, who laid the foundation for its career in Germany, emulated his master by jotting in a journal day by day every pious emotion, plan, or prayer; and this *Memoriale*, copied ever afresh by loving hands in novice-house and college, became in its turn a model for imitation. Already in 1540, the year of the formal establishment of the order, Ignatius instructed his associates to report to him in weekly letters "what God had wrought through them". When presently they were scattered, not through Italy only, but throughout all Europe, he was content if those in charge of province or of college in lands transalpine would write him but a monthly letter and from those in the far Indies a yearly might suffice; but, whether this express report were weekly or monthly or yearly, all these superiors were charged besides to set down, in person or by deputy, "whatever might make for edification", and thrice each year to send it in to Rome. And the loyal sons of the order who out of such materials before the end of its first century compiled the histories which till now have been the classic source for our knowledge of its beginnings, concerning themselves only with what God through it had wrought and what might make for edification, were still but autobiographers.

Three centuries more have gone. The Jesuits, trained by their work on the *Acta Sanctorum*, have ripened into the keenest and most relentless of historical critics. Their documentary records, even the most intimate, seized in great part by hostile authorities at the suppression of the order in the eighteenth century, lie scattered throughout Europe, accessible to every student; and foe has vied with friend in bringing them to the light of print. If Catholic hands have given us the letters of Loyola, of Faber, of Canisius, it is the *Monumenta Germaniae Paedagogica* which (though not without Jesuit help) has published the documents of their work for education, the Society for Rhenish History has edited by the unfriendly pen of Hansen a rich body of their records drawn mainly from the archives of Cologne, and a half-dozen hostile historians have mined in the yet richer spoils at Munich. What wonder that the restored order should itself (since 1894) have undertaken the publication in full of the sources for its history? What wonder that



it should now put to use these *Monumenta Historica Societatis Jesu* in a series of vernacular histories written by Jesuit hands?

It is at least no wonder that the volume on the Jesuits in lands of German speech should be assigned to Father Bernhard Duhr. For years he has been the order's foremost apologist. His well-known *Jesuiten-Fabeln*, enriched in edition after edition since its first issue in 1891, shows him at home everywhere in Jesuit history, and by no means through Jesuit sources alone; while a multitude of more elaborate studies, published during the last quarter-century in magazine or monograph, attest the keenness of his scholarship and mark him as especially the historian of the German Jesuits. It is on these studies, indeed, that great part of the present volume rests.

But can a Jesuit be trusted even now to write the story of his fellows? Of the theory that a Jesuit's highest aim is to glorify his order and that to this end all means are permitted him, Father Duhr makes short work: "a lie stays a lie and wholly to be condemned, deceit stays deceit and wholly to be condemned, even though the holiest end be through it sought or furthered." And to the present reviewer, at least, his book seems from beginning to end an honest book. Both in the policy of his order and in the acts of its members he can see not only blunders but faults, and these he is frank to point out and to censure. What is yet more to the purpose, his point of view as a critic is no wholly antiquated or narrowly Catholic one—witness his pages on the censorship, on the treatment of heretics, on diabolism. It does not follow from this that his book is impartial. He himself recognizes that "in the love and the loyalty which a member has and must have for his order there lies a danger"; but he counts it no greater than that of the historian who writes the history of his own land, and urges against it not only the better knowledge which comes from inside acquaintance but the folly of want of frankness in a history meant primarily for the use of his fellow Jesuits, who need to learn caution and modesty not less than courage and enthusiasm. His critics, however, will hardly see in his mild verdicts only loyalty to the gentle maxim that "unloving criticism is not less to be shunned than uncritical love." But the day has not yet come when apologist and critic can be expected to look with the same eyes on this best loved and best hated group in modern history. It is much that Father Duhr has at least brought us a great step nearer to that day.

The least entertaining part of the present volume is the opening third devoted to the establishment of the Jesuits in Germany and to the statistics of their provinces and colleges, too compact for easy reading. Full of interest are the next chapters on the Jesuit schools and their life, familiar to Father Duhr through so many earlier studies and through his work for the *Monumenta Paedagogica*. There follow chapters on "soul-care" (the work of the Jesuits in pulpit and confessional), on their reform of the convents, on their work for the sick, the poor,

the soldier, the prisoner; then on the indoor life of the Jesuit houses—the training of the novice and the scholastic, their recreations and daily habits, their domestic economy and administration. A chapter on the Jesuit buildings in Germany is the contribution of a colleague, Father Braun, whose summing up is a denial of the existence of a "Jesuit style" in architecture. "Before Vignola built the Gesù at Rome the *baroque* already existed; and it was not merely the Jesuits who brought it into use—it was all Rome and all Italy." Father Duhr next describes the German Jesuits as authors, scoring them for their share in the brutal polemics of the time, while bringing out, and with justice, the efforts of the order for greater courtesy in discussion. A chapter gives us the substance of his monograph on the Jesuits at the courts of the German princes, another that of his interesting study on "the 5% quarrel" (*i. e.*, the controversy over the taking of interest on money), and still another, under the title of Devil-mysticism and Witch-trials, a renewed and a cogent defense of the order against responsibility for the witch persecution. That individual Jesuits, even Peter Canisius, were largely responsible for the persistence of exorcism, he does not deny or defend; that the belief in demoniacal possession thus fostered promoted the belief in witches he is at pains to illustrate; that many Jesuits shared this belief too and furthered by voice and pen the panic born of it he narrates in full; but that opinion was at one in the order on this subject, that the charge of witchcraft was ever made by it a cloak for the punishment of heresy, or that the superiors ever intervened save to dissuade from meddling with the matter, he not only denies but does much to disprove. Two closing chapters are devoted to "character-sketches" of three typical Jesuits—Joannes Rethius, Paulus Hoffaeus, and Georg Scherer—and to the curiously conflicting estimates of the Jesuits "in the judgment of the time".

The handsome volume is made handsomer by a wealth of thoroughly historical and wisely selected illustrations—portraits, plans, views of towns and of buildings, facsimiles of manuscripts and of title-pages.

GEORGE L. BURR.

*The Life and Letters of Sir Henry Wotton.* In two volumes. By LOGAN PEARSALL SMITH. (Oxford: The Clarendon Press, 1907. Pp. xxiv, 508; 564.)

THE name of Sir Henry Wotton is generally familiar to lovers of English literature. They remember a few of his enduring poems, particularly the "Character of a Happy Life", and the tender couplet in memory of the widow of Sir Albertus Morton:

"He first deceas'd. She for a little tried  
To live without him: lik'd it not and died."

They remember, too, that Izaak Walton prefixed to the posthumous and confused collection of Wotton's works, entitled *Reliquiae Wottonianae* and thrice reprinted between 1651 and 1685, a memoir which has itself

endured, among the little masterpieces of an interval when great ones were rare. Thanks to Walton, they vaguely remember that Wotton was a most accomplished gentleman, who passed the active years of his life in high diplomatic office, and who ended his days as Provost of Eton. They remember, finally, that he wrote from Eton the kindly letter to Milton commonly prefixed to *Comus*. And that is about all. To learn more they have hitherto had to seek in libraries.

It is hardly excessive to say that Mr. Pearsall Smith has changed this vague image into the most vivid portrait now extant of any Englishman of the late sixteenth and the early seventeenth century. Indeed, he has come only a little short of producing himself a literary masterpiece. For this achievement both his method and his style prove a shade too severe. The discretion, the accuracy and the precision of his work, the while, give it an authority which less literary restraint might perhaps have disguised, or even impaired. Nowadays those who love certainty distrust beauty.

After a full, lucid preface, Mr. Pearsall Smith devotes two hundred and twenty-five pages to a compactly detailed biography of Wotton, contrasting equally with the charmingly idealized *Life* of Walton, and with the *Biographical Sketch* published in 1808 by Dr. A. W. Ward, now Master of Peterhouse, and too modestly described by that eminent scholar as a "trifle". The biography is followed by five hundred and eleven letters of Wotton, of which three hundred and two are here printed for the first time. The remainder, though hitherto accessible, have never before been arranged throughout in chronological order, nor annotated, for the most part, with due scholarly care; so they have not been fully intelligible. The letters here collected extend from October, 1589, to August, 1639. Scrupulously referred to authority, illustrated with profuse yet compact notes, they tell in Wotton's own words the story of his youthful travels; of his long service as ambassador, mostly in Venice, whither he went three times under James I., for eleven years in all, but elsewhere, too; and of the fifteen years when, in learned retirement, he was Provost of Eton—the school which seems on the whole to have done most, first among its peers, to establish and to maintain the ideals of the English gentleman. And the very word "gentleman", now world-wide, tells us where our highest conceptions of human character and conduct had their origin. Perhaps the most profound and enduring impression which these letters make comes from the subtle assurance that none but a gentleman, in the best sense of the term, could have penned them. Here we have, in his habit as he lived, one of the many contemporaries who might have served Shakespeare as models for the greatest gentlemen in modern literature.

The letters are followed by four appendixes. The first, which is bibliographic, includes a calendar of the letters themselves. The second briefly and clearly discusses the date and the authorship of the *State*

of *Christendom*, published under Wotton's name, in 1657, but written, Mr. Pearsall Smith concludes, as early as 1594. The third is an admirably succinct biographical dictionary of the friends, correspondents and associates of Sir Henry Wotton. The fourth contains a list of Italian authors "selected and censured" by Wotton; a Character of Robert, Earl of Salisbury, apparently by his hand; and one hundred and forty-five hitherto unpublished notes of Table-Talk, probably made by some inmate or visitor of Wotton's house in Venice not later than 1610. The index, which concludes the book, is a model of what an index should be—at once analytic enough to guide one far, and not so garrulously minute as to be almost worse than none; it fills fifty-nine pages. It is preceded, incidentally, by a four-page glossary of the archaic, obsolete and rare words which occur in the letters.

Ungracious though such a summary as this may seem, hardly any other means could indicate the variety and the wealth of the material compressed within these volumes. They are not only a masterly example of individual portraiture, resulting in a noble portrait, nobly typical of a noble time. The figure of Wotton is never isolated. One feels him always in a living world, his comments on which at once revive its vitality for general readers, and preserve its details for historical scholars. You will be at pains to find, for example, documents more instructive concerning Venice, social and political, in the days when her greatness was past but her splendor still glowed. Among other things, they give much information about that effort to oppose or to restrain the Catholic reaction which is associated with the name of Paolo Sarpi. This book, in brief, is one which no student of European history during the first quarter of the seventeenth century may safely neglect. What may be found there one cannot aver; but certainly more may perhaps be found than even Mr. Pearsall Smith himself may quite know. For he has done his work as faithfully as ever artist could; and those who least guess the significance of works of art are often those who have conscientiously, enthusiastically wrought them.

BARRETT WENDELL.

*Le "Relazioni Universali" di Giovanni Botero e le Origini della Statistica e dell' Antropogeografia.* Per ALBERTO MAGNAGHI. (Torino: Carlo Clausen. 1906. Pp. viii, 371.)

M. MAGNAGHI's volume is an advocate's argument for Botero's priority in the science of statistics, descriptive geography and doctrines of population. The chief document about which the argument turns is, of course, the *Relazioni Universali*, but use is also made of the *Ragione di Stato* and the *Cause della Grandezza delle Città*. The claims of this illustrious authority to the first place among his contemporaries in these several lines of inquiry is argued with great skill and great erudition; so much so, indeed, as to leave the merits of the case beyond the range of legitimate opinion on the part of any but specialists in this

particular field. The great importance of Botero for all inquiries into the range of facts with which he was occupied need not be questioned, nor does it seem securely worth while to work out in detail the specific measure in which Botero borrowed and was borrowed from, either in the information which he used or in his method of presenting his materials. In neither respect does he himself enter a claim to exceptional originality or priority, either explicitly or by insinuation; nor does he hesitate to take what comes to hand, with scant acknowledgment and slight criticism (see, e. g., ch. XII.). That is not where the emphasis falls, in Botero's apprehension or in that of his generation. The serious avowed purpose, the end of the inquiry, with Botero as with the rest, is a practical, or rather a pragmatic one. What is sought is a serviceable appraisal of the relative political—ultimately warlike—strength of the several states or princely houses whose inventory of forces is passed in review, analysed, scheduled and summed up. In this work Botero's unusually large, and often exceptionally detailed, information gives him an advantage, which his equally exceptional insight turns to good account; although he is, according to modern notions at least, hampered and enfeebled in his inquiry by a diffuse and rambling presentation and an insistent inclusion of irrelevant but authentic matter, and an excessive attention to what would today be considered a trivial circumstantiality. The last mentioned feature, reminiscent of scholastic erudition, may be illustrated by his enumeration of the causes of the growth of cities, which are divided into the external circumstances and the causes dependent on man. As to the external causes, men have come together to live in cities by force of authority, or by coercion, or for pleasure, or for convenience and profit. Each of these causes of the growth of cities is impartially treated, categorically and *in extenso*.

What gives Botero his indubitable value for historical students, and his chief interest for modern students occupied with inquiries similar to his own, is his "modernism". It is highly probable, at least, that the characteristics which M. Magnaghi refers to as "modern" were also the characteristics that counted most substantially toward his exerting an enduring influence in the science, although his expositor and critic makes relatively little of this matter in the volume here under review. It would be no great stretch of language to say that Botero's work is "modern" and of enduring consequence by force of mind-wandering. His avowed aim, like that of his contemporaries, is the working-out of a useful statistical compendium of information, useful as a handbook for the politicians of his time. But he is continually led afield from this pragmatic single-minded course by an exuberant curiosity, which carries him beyond what is needful and into the region of what is merely scientifically interesting. This is true both of the range of information which he covers and of the theoretical speculations and explanations which he offers in accounting for the facts that make up his report

on the state of Christendom. It is by virtue of this pragmatically idle work of supererogation that Botero had a large effect on the subsequent growth of statistics and demography as well as a large claim on the respect of the modern spokesmen of the science. As an example of this exuberant intellectual enterprise—excessive as judged from the pragmatic standpoint of the then current political writers—may be cited his theory of population quite suggestive of Malthus's *Principle*, as M. Magnaghi calls to mind (see ch. XXII.).

THORSTEIN VEBLEN.

*A Calendar of the Court Minutes, etc., of the East India Company, 1635-1639.* By ETHEL BRUCE SAINSBURY. With an Introduction and Notes by WILLIAM FOSTER. (Oxford: The Clarendon Press, 1907. Pp. xxxvi, 396.)

THIS book is valuable for at least three reasons. It contains material for the domestic history of the East India Company, 1635-1639, a critical time and a period for which the printed documents are comparatively scarce; secondly, there is laid open here the outworking of the system of personal government under Charles I. in years when that system was at its strongest; and thirdly, we have the intimate records of a corporation in days when shareholders stormed in vain at directors, when accounts were not fully given to the public, when political henchmen and bosses and financial promoters and magnates had formed a long enduring yet tortuous and expensive connection.

The documents calendared follow those included in the last volume of Miss Sainsbury's *Calendar of State Papers*, East India series, and consist of the Court Minute-books, January 5, 1635-December 30, 1639. But there is the gap caused by a lost volume of manuscript, July, 1637-July, 1639. These are re-enforced by abstracts of some of the documents from the East India series at the Public Record Office and of a few from the India Office Records and by entries on Indian affairs for these years from the Domestic series, *Calendar of State Papers*. Some notion of the relative position and importance of this body of material may be got from the memoranda in Birdwood: *Report on the Old Records of the India Office*, pp. 15, 16, 21, 44, 65, 80, 82, 85, 89 (cf. also AMERICAN HISTORICAL REVIEW, XII, 878). Furthermore, some of the material here included was made use of by Hunter (*History of British India*, II., ch. I.) and before him, though apparently to a less degree, by Bruce (*Annals of the East India Company*, I, 329-365). In particular the excellent introduction and serviceable index should be noted. We turn now to a few of the chief topics.

Information as to the local history of establishments in the East is for the most part indirect, for there are comparatively few letters from Asia. But the proceedings of the directors at home cast considerable light. Conditions were dubious. Thus the proposal to abandon Surat is debated and once resolved; complaints at the failure of the

Shah to keep his engagements as to Persian trade, the intrigues of the Dutch at Bantam, Pulo Run and elsewhere, and the dangers encountered by the company's agents owing to depredations by interlopers, are all recorded. When considered in connection with the serious financial situation at home and the consequent dissatisfaction of the generality, these events in the East emphasize the critical condition of the company.

No small part of these difficulties was due to the policy of the crown and the foundation under the authority of Charles I. of a rival association. Indeed Courten's Association is, in one sense, the principal subject of the volume. Such a creation was a violation of the East India Company's royal charter; but to the alarms and protests of concerned and doubtful directors the king answered that the reports regarding the new association were "vague and frivolous" (p. 142), and again, "'Upon the word of a King and as hee is a Christian King' no hindrance or damage is intended to the Company's trade, nor will these ships go where the Company have commerce, but for a voyage of discovery under Sir William Curteene, who is a responsible man" (p. 157). But a later grant under the great seal organized the new venture as a dangerous if not equal rival of the East India Company (p. 275); and the delimitation of spheres of trade was not of much satisfaction to the now disheartened company. Finally, however, the king was alarmed by the possibility that he might force the dissolution of the older company to the profit of the Dutch, who then "will give the law and sett the price upon all other trades of Europe" (p. 272). Therefore, on December 10, 1639, an order in council restored the old monopoly, and favorable prospects became more possible (p. 35).

ALFRED L. P. DENNIS.

*A Life of Gilbert Burnet, Bishop of Salisbury.* Part I. *Scotland, 1612-1671*, by T. E. S. CLARKE, B.D. Part II. *England, 1671-1715*, by H. C. FOXCROFT. With an Introduction by C. H. FIRTH, M.A. (Cambridge: University Press, 1907. Pp. xlvii, 586.)

LIKE the proverbial tradesman, popularly supposed to be ill-provided himself with the commodities which he furnishes the public, Gilbert Burnet, to whom we are indebted for so much information concerning the men and events of his time, has had to wait nearly two centuries for an adequate biography. Hitherto, he has been known to us chiefly from the *History of his Own Times*, from the short life by his son appended to successive editions of that work, from Macaulay's and Lecky's famous characterizations, and from the searching though over-hostile estimate of Ranke. The *Life* just published by Mr. Clarke and Miss Foxcroft is a portly and dignified volume of nearly six hundred pages. Based on a careful and exhaustive study of original authorities, abundantly fortified with references and extracts, it sets

forth in great detail the manifold phases of Burnet's thought and activity. More than usual stress is laid on the religious and theological aspects of the subject because of Burnet's avowed predilection. The scheme of the work is Miss Foxcroft's. Well-equipped for the task by her previous studies in the period, brought together in her *Life and Letters of Halifax*, and her edition of the memoirs, autobiography and portions of the correspondence of Burnet himself, she had determined to write his biography when she learned that Mr. Clarke, minister of Saltoun, had already planned a life with special reference to the Scotch side. So the two decided to combine. Mr. Clarke, in four of the ten chapters covering about a fourth of the whole book, deals with Burnet's early life in Scotland, 1643-1674. Miss Foxcroft is responsible for the remainder of the text, for the bibliographies, for the list of letters, and for the index.

Mr. Clarke, in his part, gives a full and careful account of Burnet in his formative period, of his surroundings, of his father, and of his friends who influenced him most. Among Mr. Clarke's most important contributions are his explanation of Burnet's change from the Presbyterian to the Episcopal communion, and his graphic picture of the parish of Saltoun and the young pastor's work there. In his descriptions of the Scotch leaders of the period, Mr. Clarke runs somewhat to vague superlatives, with the consequence that his characters fail to stand out as convincingly as they might. Two or three of his statements call for qualifications. James VI. began his Episcopal policy before he became king of England (p. 6). In the brief account of Scotland in the Civil War the fact that the Scots handed Charles I. over to Parliament should have been mentioned (p. 13). Also it is scarcely true to say (p. 14) that Charles II. in his adversity found his only supporters among the Covenanters.

Space will not admit of a detailed estimate of Miss Foxcroft's treatment of the larger, more important, and generally better known part of the subject. In the preface she states that the book is designed for the general reader as well as the historical student. Doubtless that is why the references are relegated to an appendix. Moreover, the work is interesting from its thorough mastery of the subject and its liberal and skilful selections from the sources, while occasional amusing bits occur such as the anecdote concerning the introduction of "horsebox" pews (pp. 356-357). Nevertheless, the grave, laborious style, the numerous allusions to contemporary politics, at times barely touched upon, will rather tend to confine it to a limited circle of readers. Special students of the period, on the other hand, will not only find many points presented in a more ample and convincing manner than ever before, but will be grateful for new lights. On Burnet's attitude toward the Popish Plot, for instance (pp. 153-156), Miss Foxcroft, from her familiarity with his contemporary writings and his original *Memoirs*, is able to show that the author in his *History*, written some years after



the event, "credits himself with too much contemporaneous perspicacity", though he was nothing like so panic-struck and partizan as many others. Again, she points out (p. 204) that Burnet was not reassured by James's promise "to maintain the government in church and state as *established by law*", since he knew from the king himself that he regarded Elizabeth as a usurper, and hence might not feel himself bound by the Elizabethan settlement. Burnet's distinction between religious intolerance and persecution on grounds of political necessity is well brought out, as is the true grounds of his conversion from the doctrine of passive obedience to the view that revolution was justified when the king attempted to subvert the law. The opinion is confirmed that Burnet, owing to his meddlesomeness, did not always stand as well with William as is sometimes supposed, that he frequently regarded himself as "the author of policies which he popularized", that, honest and fearless as he was, he not infrequently involved himself in complications from which he was not able to extricate himself gracefully or indeed straightforwardly, in short that, for all his broad and enlightened views, he shone brighter as a man, a preacher and a bishop than as a statesman. While we are already familiar with his noble and generous efforts to reform the diocese of Salisbury the additional matter is welcome, and we are glad to know more about Burnet the theologian.

Miss Foxcroft has been so exact about her details, that, what with her careful list of addenda, corrigenda and errata (pp. ix-x), almost nothing remains to question. James's "peremptory collection of the customs unsecured by law" (p. 208), however, was, according to Roger North, not wholly without justification. A sentence on page 215 might give the impression that the De Witts were still alive in 1686. Mr. Firth's introduction on Burnet as a Historian is a fine critical study re-enforced by references to contemporary and modern opinions. In fine, this biography of Burnet is one of such substantial merit that it will doubtless take its place as the final authority on the subject.

ARTHUR LYON CROSS.

*Histoire de France.* Par ERNEST LAVISSE, Professeur à la Faculté des Lettres de l'Université de Paris. Tome Septième, II. *Louis XIV.: La Religion; Les Lettres et les Arts; La Guerre (1612-1685).* (Paris: Hachette et Cie. 1907. Pp. 415.)

OTHER readers of this volume, if like the reviewer, will lay this book down with a certain sense of disappointment. One feels that the writing of much of it has been more a task of duty than a labor of love. The reason is not far to seek. M. Lavissee is pre-eminently an historian of political and diplomatic history; the treatment of psychological phenomena in history is foreign to his immediate interest and over one-half of the present volume deals with such forces. Book VI. is con-

cerned with the Jansenist movement, the question of Gallican liberties, and the Huguenots; book VII., admirably entitled "Le Gouvernement de l'Intelligence", is a long essay upon the progress of literature, science and the arts, during the reign of Louis XIV.; book IX., "La Fin d'une Période", is a discussion of the court and personal life of the Grand Monarque. This leaves less than one-half of the volume (181 pages as against 231) for "La Politique Extérieure de 1661 à 1685". Certainly one must credit M. Lavissee with self-renunciation in so allotting this work.

His analysis of Jansenism is painstaking and precise but—for M. Lavissee—astonishingly dry and harsh. It seems too severe a judgment to say of Jansenism that "ce fut une tentative étrange pour transformer des pays de France en canton de Genève" (p. 12). There is more spontaneity in the chapter upon the Huguenots because the Calvinist movement of Louis XIV. profoundly involved the politics and public economy of France. The author is abreast with modern research in stripping off the traditional beliefs regarding the Huguenots at this time—beliefs which are the heritage of Europe's universal hatred of "la domination française" in the seventeenth century. He shows the abusive practices to which the Huguenots resorted when able, such as the closure to Catholics of "métiers dont ils occupaient les maîtrises"; overtaxation, especially in the case of the *taille* and the billeting of troops; religious persecution; social insult, etc. (p. 41). He shows too that the movement inspired by St. Vincent de Paul and the Jansenists had induced a real religious renaissance among the Catholics which had no analogy in the hard dogmatic credo of the Huguenots, and he has a luminous but all too brief paragraph upon the economic rivalries between Huguenots and Catholics. "Au XVII<sup>e</sup> siècle déjà, on voit contribuer à la haine catholique la jalousie du pauvre contre le riche, du petit marchand contre le grand, du petit industriel contre le gros, de la terre contre l'argent" (pp. 41-42).

In considering the legal nature of the Edict of Nantes the contentions of Huguenot publicists, which more than one modern writer has accepted, that the edict was a permanent and organic part of the French constitution, is clearly disproved, and its revocable character demonstrated.

In that portion of the volume dealing with the literary and artistic activities of the reign of Louis XIV., M. Lavissee shows less originality and more rigid adherence to tradition than anywhere else. M. Lanson, in the *Revue Universitaire*, December 15, 1907, in a review of the work we are considering, has already made the point that the author attaches too great an influence to the attractive power of the Roi-Soleil and his court upon the seventeenth-century literature, which modern criticism has somewhat diminished. The best portion of this book, because the most spontaneous, is the account of Colbert's interest in collecting historical documents—now the splendid Collection Colbert of

the Bibliothèque Nationale—and the account of the historical activities of the Jesuits and the Benedictines of St. Maur (pp. 161-171).

M. Lavissee finds his true field once more in a return to politics and diplomacy in book VIII. He leads off with one of those striking expressions in which he is so felicitous—"La Guerre était une habitude dans la civilisation d'alors" (p. 222)—then follows with vivid narrative chapters upon the Hapsburgs, Germany and Italy, the traditional allies of France, England and Holland, the "orientation" of French politics, admirable summaries of the condition of the army and the navy—all preliminary to two splendid chapters on the War of Devolution and the greater War with Holland. The author protests against the familiar belief that Louis XIV. was consumed with ideas of grandeur and glory; he shows the bearing upon the king's policy of the idea of "natural frontiers", already an old tradition of France, which guided the policy of her kings for more centuries than many are wont to believe. (In this connection M. Lavissee might have referred his readers to the late Albert Sorel's admirable sketch of the genesis and development of the idea of France's natural frontiers in *La Révolution Française*, I. 254 ff.)

The thoroughness of research comes out in the account of Turenne's brilliant campaign. The usual belief represented by Clausewitz, but primarily due to Napoleon who had in mind the later policy of Prussia, is that the Great Elector did not seriously desire the recovery of Alsace. M. Lavissee, on the evidence of contemporary *mémoires* and Turenne's letters, has avoided the pitfall into which several historians of the wars of Louis XIV. have fallen.

The bibliographies appended to each book, as has been the case throughout the series, are excellent. I note but one important omission, the interesting *Savile Correspondence* (Camden Society, 1858), which casts a most valuable light upon the condition of the Huguenots immediately before the revocation of the Edict of Nantes.

JAMES WESTFALL THOMPSON.

*Marshal Turenne*. By the author of "A Life of Sir Kenelm Digby". With an Introduction by Brigadier-General FRANCIS LLOYD, C.B., D.S.O. (London and New York: Longmans, Green and Company. 1907. Pp. xxiii, 401.)

AFTER a thousand years of, for the most part, unintelligent warfare, there arose, in the seventeenth century, three sets of great generals, who re-established war on the methodical basis that had not been known since the decline of Rome. These groups centred about Gustavus Adolphus, about Condé and Turenne, and about Marlborough and Eugene. Turenne worked with and learned from the lieutenants Gustavus had trained; and in his turn he was, as Wolseley says, Marlborough's "tutor in war". Again, Frederick was influenced by Marlborough's battles; and thus, for a hundred years, intellectual growth in

war harked back to the great Swede. Of Gustavus's followers Turenne was one of the greatest, and no better study exists for soldiers than that of his campaigns. The volume before us is a biography of the man Turenne, and a picture of the partly trivial, partly gigantic, events of the day, when either the land-hunger of a monarch or the smile of a frail court beauty might set an army in motion. The great deeds in war of this pattern of soldiers occupy less space than the politico-social doings of the rulers, their ministers and their courtiers; but the intricate conflict of religions and the never-ceasing wars of the Louis are a part of the life of every prominent character in that restless century.

Turenne was a man of war from his youth—a captain at fifteen, a colonel at nineteen, a *maréchal de camp* (major-general) at twenty-three. A grandson of William the Silent, he came honestly by his sturdy ability, and though, up to twelve, he was "weak" "stupid and lazy", he yet seems to have learned to ride and fence and speak the truth. He lacked good looks, except such as every truly great man possesses; but he exhibited quality in all his acts. In his early years of command he led small armies; later, in Flanders, large ones, and he handled each with expertness. Greater in strategy than as a battle captain, he did not win because he had weak opponents, for he fought against the great Condé, and measured wits with that master of deception, Montecuculi; and though no man ever boasted a more upright character than Turenne, he was a very Hannibal for strategem—for cheating the enemy. He was endowed with nearly all the military virtues. With equal courage and discretion, he attacked the enemy only when a definite gain could be accomplished; but his onset was vigorous, he inspired his troops as few have done, and led them with intrepidity. On the road, he made his men march far and fast for those days—too miles in four days on one occasion—and he shared their trials then as well as when they went hungry in camp. He was their "father". All told, few leaders have conducted campaigns as full of easily-learned lessons for the soldier of today.

All this our author brings out in a pleasant style; and he illustrates his meaning with many stories about his hero's good qualities—in this case there were really few weaknesses to mar the picture; but, as in every biography, the hero looms up beyond the proper perspective. Intertwined with the story of Turenne are notes on the many court scandals and intrigues of the day, the favors given or denied by those in power, and many historical facts striving to show that Turenne, more than most other leaders, was hampered by opposition or hatred at the source of command and supply; and indeed a general is better off to be denied a command than to be given one and then to be starved in men or means. Failure is wont to be ascribed to the latter cause; but Turenne never made excuses for his own failures. "He manoeuvred better than I did" sufficed.

The author leans heavily on Ramsay, and quotes largely from

Napoleon's *Abstract of the Wars of Marshal Turenne*. He mentions his authorities in the text, as he quotes them, with few foot-notes. There is a short index, and one two-page map of Europe, covering rather insufficiently the theatre before us. Interspersed in the book are a number of battle-plans from Ramsay, which, like all old charts, give but an indefinite conception of their conduct. The topography is in most cases quite imaginary, the artist never having seen the ground, and there being few accessible minute maps, as in these days of Great General Staffs; and upon such topography is depicted the battle order of the troops, as on parade. Such maps are interesting rather than illuminative. The volume is pleasant to the reader on account of its excellent make-up, illustrations, type and paper.

The introduction by General Francis Lloyd is suggestive but in some points challenges disagreement. Napoleon's passage of the Alps, *e. g.*, was a mere clever incident in a fine plan of campaign, which can in no sense be compared with Hannibal's: only Alexander's crossing of the Hindu-Kush can be. Armies frequently crossed the Alps in the Revolutionary days, even in winter. Science had created roads for Napoleon, or even for Turenne: there was scarcely more than a barbarian's foot, or pack-horse path in Hannibal's day. Nor did Hannibal know the topography, or even the geography, of the range, or of either side of the Alps. Polybius clearly shows this. Again, while it is true that Turenne was great as a strategist, it can scarcely be maintained that those "strategical marches which began in 1647... formed a new development in the art of war". We must not forget the strategical insight of Gustavus Adolphus, and his amazing accomplishment from June, 1630, to November, 1632, in which period he reconquered nearly all Germany from the Empire—and against such leaders as Tilly and Wallenstein. This was the first, and it remains the finest strategical performance from the days of Caesar to those of Napoleon.

*The Cambridge Modern History*. Planned by the late Lord ACTON, LL.D. Edited by A. W. WARD, Litt.D., G. W. PROTHERO, Litt.D., STANLEY LEATHES, M.A. Volume V. *The Age of Louis XIV.* (Cambridge: University Press; New York: The Macmillan Company. 1908. Pp. xxxii, 971.)

WITH the appearance of the present volume the *Cambridge Modern History* shows evidence of reaching proportions which would have given pause even to that champion of "a good body of history", Sir Walter Raleigh himself. As it nears completion the full magnitude of the work begins to be fully revealed. Compared with like recent undertakings in French and German it becomes almost colossal. Though it covers a far smaller field than Lavissee and Rambaud, it already bulks as large, and compared with Helmolt the contrast is even greater. In view of this, one is tempted to wonder what its ultimate destination and value will be. That it is a success, financially, we are assured, and the

assurance comes with more weight when we learn that at least two other such projects owe their undertaking to that success. It figures, of course, among those books which no gentleman's library should be without, and it fills a large and imposing place in the "furnished library". The student finds here vast store of information for class-room use, the instructor a glittering array of references. Libraries and institutions of learning will absorb many copies as they absorb all such works in this encyclopedic age. But, leaving unprofitable speculation over this profitable one, we should rejoice with the publishers over two facts it demonstrates. The one is that we live in an age which interests itself in history, however encyclopedic, particularly on the educational side to which the success of the present venture is doubtless largely due. The second is that in view of the increasing mass and detail of historical knowledge it is hardly desirable that such summaries should be issued from time to time after the manner of annual or decennial cyclopedias to indicate the progress and status of that knowledge. To the mere reader and the mere scholar such works, it is true, will make but a limited appeal; to the one because they are too large and too little enlivening; to the other for almost precisely the opposite reason. In the present volume, for instance, the reader would doubtless be glad of a cheerful page on the solemn ceremonial attendant upon the court of the Grand Monarque, the scholar would be grateful for a more satisfying account, if such is possible, of the reasons which led that sovereign to recognize James III. The reader might wish for more, the scholar for fewer, generalizations like that which declares Louis to be "by far the ablest man in modern times who was born on the steps of a throne".

The present volume whose title is altered from the original announcement of "Bourbons and Stuarts" to that of the *Age of Louis XIV.* covers approximately the period from 1660 to 1720. Approximately only, however, since the chapters on Russia begin with 1462 and end with 1730, and those on Prussia commence with the creation of the Brandenburg Mark by Henry I. The proportion of the volume is interesting. The first four chapters, covering ninety-one pages, are devoted to France, and include the government of Louis XIV., by Professor Grant, his foreign policy, by Mr. Hassall, seventeenth-century French literature and its foreign European influence, by M. Faguet, and the Gallican Church, by Viscount St. Cyres. Thence follow two chapters on England, the Restoration to 1667, by Professor Firth, and its literature, by Mr. H. H. Child. Broken by a chapter on Holland under John de Witt and William of Orange, by Mr. Edmundson, the English series continues with the Anglo-Dutch Wars, by Mr. J. R. Tanner and Mr. C. T. Atkinson; the Policy of Charles II. and James II., by Mr. John Pollock; the Revolution, England, by Mr. Temperley, Scotland, by Professor Hume Brown, and Ireland, by Mr. Robert Dunlop; and Religious Toleration in England, by Professor Gwatkin. Interrupted by

Professor Lodge's chapter on Austria, Poland and Turkey, Professor Michael's *Treaties of Partition*, and the Spanish Succession, by Mr. C. T. Atkinson and Dr. A. W. Ward, the English series proper concludes with a chapter on Party Government under Queen Anne, by Mr. Temperley. Thence the scene shifts to Eastern Europe; Russia, 1462-1682, by Professor Bury, and 1689-1730, by Mr. Bain; Scandinavia, by Mr. W. F. Reddaway; Charles XII. and the Great Northern War, by Mr. Bain; two chapters on Prussia, from the beginning to 1713, by Dr. Ward. Then follow the Colonies and India, by Mr. Benians and Mr. Roberts respectively; Mathematical and Physical Science, by Mr. W. W. R. Ball, and Other Branches of Science, by the late Professor Sir Michael Foster; Latitudinarianism and Pietism, by Mr. M. Kaufmann. It is interesting to observe further that Great Britain, exclusive of the colonies and India occupies 208 pages, and with them, 240 pages, or slightly less than one-third of the entire volume; Eastern Europe, including Prussia and Austria, 227 pages. This disproportionate length compared with the space given to France, in this volume, and the space given to England, in the two preceding volumes, is a curious feature of the book under discussion.

It has often been observed that the syndicate method of historical composition, among its characteristics, counts one that is not always to be regarded as a defect, namely a certain difference, even inconsistency, of statement among various authors looking at the same events from different points of view. There is some truth in this. But when one finds in three pages of one article almost as many dates as in the whole twenty-two pages of another one may wish for an editorial averaging process. When one reads the eulogy of Louis XIV. above quoted, and compares with it the appreciations of the Prussian rulers, notably the Great Elector, one wonders what is left to be said of Frederick the Great. Many slighter differentiations occur which might have been avoided by more careful supervision. The preface informs us, somewhat cryptically, "the dates . . . are in New Style, except in the case of events in a country by which in this period New Style had not yet been adopted. Where, as in the instance of a battle by sea, doubts might arise as to which Style had been chosen, that actually used has been specially indicated." Accordingly we are told (p. 35) that William III. set sail for England on the day of the fall of Philippsburg, which Mr. Hassall has elsewhere set down as October 29, while on page 245 the day of departure is given as November 1; and he arrived at Torbay on November 5 (p. 246), or on November 15 (p. 56). One other instance may suffice. Poltawa is variously stated to have been fought on June 27 (p. 601) and on July 8 (p. 667). There are several such inconsistencies in minor points, perhaps the only serious one noted being the two accounts of the Bishop of Münster on pages 141 and 649 respectively. In one matter, however, curiously enough, the various writers differ little. This is the almost uniformly favorable light in which

they regard their great men. One may note the Great Elector and Louis XIV., already mentioned, Peter the Great, and particularly Marlborough and Charles II. of England. The thoroughgoing defense of Marlborough (ch. xv.) descends, particularly in the elaborate extenuation of his treasonable warning to Versailles of the attack on Brest (p. 461), almost to the point of absurdity. As to Charles (p. 198), a "far-seeing calculator", with "uncommon tenacity", he was, "when he chose, an excellent man of business", who "among the most adroit men of his age", "in power of projecting a great scheme and maintaining it in the face of almost unexampled difficulties and dangers, in coolness of judgment and in keenness of foresight . . . deserved to be classed among statesmen of the first rank". One might almost believe from this that he had really succeeded.

It is never easy amid such a mass of material to indicate within the limits of a review, even by making it an unreadable list of errata, all the points to which one may reasonably take exception. One may note here, however, a few, on one part of the book, the part devoted to England. It is extraordinary that the account of the second Declaration of Indulgence (p. 207) contains no account of the licensing system upon which it was based. The House of Commons not merely "showed itself willing" to pass a Bill for the Ease of Protestant Dissenters (p. 209), but actually did pass it. To say that the Act of Settlement was the price Charles paid for his restoration (p. 310) is certainly a remarkable statement if it means what it appears to mean. The persecuting acts (p. 330) were, after all, more largely political than this otherwise excellent account would seem to imply. But space forbids a longer list of such a sort. It is perhaps no part of a reviewer's business to act as proof-reader. The English edition of this volume, like its companions, is notably free from such errors, but a considerable number of typographical mistakes, sometimes quite serious ones, have found their way into the American edition. This usually happens in the American editions of English books. It is a part of the price which we pay for that provision of the Copyright Law which requires English books to be reset in America in order to secure copyright that the reprinting is almost invariably done without scholarly supervision. In regard to bibliography and index much must remain unsaid. Bogislav XIV. (pp. 637, 641) finds no place here, nor does the Stop of the Exchequer. As to bibliography one notes that only the old edition of Pepys's *State of the Navy*, and an old Burnet are quoted when new editions are accessible (p. 793). Rapin is listed under Tindal (p. 829), and, since the translation of Ranke is quoted, why not that of Rapin also (p. 795)? The MS. sources for the Restoration might well have been enriched by the inclusion of Harl. 7170, and there seems no reason for quoting the twenty-seventh edition of Chamberlayne's *Notitia Angliæ*, published in 1748, for the reign of Charles II., when the first edition published eighty years earlier would have been so much more



to the point. The omission of Blauvelt's *Cabinet Government* and Bourne's *Spain in America* argue an interesting lack of transatlantic publications. Finally, it is to be sincerely regretted that the method of transliterating East European, especially Slavic, names in this volume could not have been replaced by some reasonable and English system instead of the extraordinary confusion which here prevails (cf. *AMER. HIST. REV.*, II, 766 ff.). None the less, in spite of these matters which it is the peculiar province of the historical reviewer to note, he may add that few more useful volumes, and, save for one hopelessly confused contribution, few more eminently usable volumes on this period have appeared or are likely to appear. It is unfortunate that the very qualities which make it useful, especially as an encyclopedia, make it at the same time so difficult to adequately review in any reasonable space without dropping into the catalogue method.

WILBUR C. ABBOTT.

*Œuvres Complètes de Saint-Just*. In two volumes. Avec une Introduction et des Notes par CHARLES VELLAY, Docteur ès Lettres. (Paris: Charpentier et Fasquelle. 1908. Pp. xxi, 466; 544.)

THE recent creation of a Société des Études Robespierriistes is an indication that the way is to be opened for a more complete, critical estimate of the part played by the leaders of the Convention. M. Vellay's edition of the works of Saint-Just is prompted by a similar interest. Indeed, M. Vellay has acted as the provisional secretary of the new society. This is the first complete collection of Saint-Just's writings and speeches. His earlier work, the poem *Organt* and the essay on the *Esprit de la Révolution*, had not been republished since their original appearance. His reports and principal speeches, together with the fragments on republican institutions, were published in 1834. The most interesting document in the present collection is the essay already mentioned, which was first published in 1791. As the letters which have been preserved are few and insignificant, this essay seems to offer the most available clue to Saint-Just's opinions before they had been subjected to the influence of the factional struggle in the Convention and of the peculiar atmospheric conditions of "the Mountain". As one reads what is said of the king, the queen and the Parisians, one fancies that Saint-Just must have found these statements embarrassing when he was writing the report on the Girondins and was condemning Brissot for holding similar "moderatist" views.

M. Vellay's introduction, instead of putting the reader in possession of the present state of studies upon the biography of Saint-Just, and marking the principal problems which must be resolved, is in the manner of the most unrestrained panegyrists. Saint-Just, he says, "fut un héros, dans ce que ce terme a de plus simple et de plus pur, c'est-à-dire un homme qui touche aux dieux". His "figure calme et douce re-

splendit comme celle d'un dieu de marbre au-dessus de l'agitation des partis". There is the customary thrust at Taine, who "gonflé de colère, s'est plu à insulter des dieux indifférents dont il n'a pu voiler la gloire". But M. Vellay in his laudatory description of Saint-Just's career as a representative on mission in Alsace sins as deplorably as Taine ever did against the elementary principles of historical work, quoting Lamartine and Montgaillard as authorities for incidents which are legendary.

The method by which the documents of this collection have been edited, or rather left unedited, is also open to criticism. In his preface M. Vellay notes that he has included certain documents signed by Saint-Just as a member of the Committee of Public Safety which are not in the Aulard Collection, but he does not identify these documents, so that the reader will, for this purpose, be compelled to undertake a laborious comparison of the documents in this edition and those in the Aulard Collection. Moreover, he does not accompany any documents of this sort with a statement of the source, leaving such information to be summarized in the most general form in an appendix, where it amounts only to an assurance of good faith. His inclusion among the works of Saint-Just of all the documents of the Committee of Public Safety to which Saint-Just's name is signed along with those of other members of the committee, is questionable, especially as he does not attempt to show that Saint-Just was the actual author of any of them.

HENRY E. BOURNE.

*Napoleon: a Biographical Study.* By Dr. MAX LENZ. Translated from the German by FREDERIC WHYTE. (New York: G. P. Putnam's Sons. 1907. Pp. viii, 391.)

PROFESSOR LENZ's biography of Napoleon, published first in the excellent series of *Monographien zur Weltgeschichte*, in the translation contains about one-half as many words as Bourne's edition of Fournier and is without critical apparatus of any kind. Its treatment of all subjects is, therefore, very brief, and the omission of many topics that might well be included in a larger work can not be a fair reason for adverse criticism. The interest lies in the inclusions and the emphasis.

In his study of the youth of Napoleon Dr. Lenz turns less to the books which Napoleon read and the unfavorable circumstances in which he lived than to the things which the young Corsican wrote. The *Discours de Lyons* and the *Souper de Beaucaire* are quoted and discussed at length, and throughout the account of the career of the general, consul and emperor, Professor Lenz finds occasion to refer the principles of Napoleon's acts and opinions to the views announced in those youthful writings. In his discussion of these writings Dr. Lenz points out with force that Napoleon writes always from the standpoint of the ruler and that they are an unconscious and effective self-revelation of the *Herrschbegier* that waited impatiently a favorable oppor-

tunity. There is real strength in thus treating a man of action from the standpoint of the first outward manifestations of his irrepressible activity rather than from the standpoint of what he read or was taught. It shows one not a boy who was father of the man, but the man. Act and command he must, but how the occasion would determine. This being clear it would seem hardly necessary to interrupt the account of the Italian campaign with allusions to the *Discours de Lyons* and the *Souper de Beaucaire*.

Aside from this the boy Napoleon of Dr. Lenz is a distinctly sociable though none the less intellectually isolated youth whose shrewd analysis of his brother Joseph is (in Dr. Lenz's view) the judgment his father had passed on the elder son. Napoleon's debt to the Robespierres, whose methods impressed him, and whose church policy he later adopted in Italy, is wisely suggested. The picture of Napoleon in Paris in 1795, before Vendémiaire, is a man of importance entertaining no serious fears about the results of his derelictions of duty. When it comes to the campaigns, Dr. Lenz is far less at ease and much more uninterested and uninteresting. He lacks the clearness and illumination given to such events in the equally brief biographies of Roloff and Johnston, and bears no comparison with Fournier or the more extensive works of Rose and Sloane. He has taken no great pains to be accurate in details. Bernadotte had taken the Russian side at least three months before the treaty of Åbo; Borodino is not "before the gates of the Russian capital" but at least sixty miles from Moscow (though it is carefully stated that Goss is seventy-three and one-half miles from Vienna); the battle at Borodino was on September 7; Oudinot crossed the Beresina on November 26; the pontoons were not far behind in the column but had been destroyed, etc. On the other hand, occasional details that are interesting and suggestive find a place in the biography. Napoleon's church policy is never lost from sight.

Details are not the matters in which Professor Lenz was interested. His eye is ever on the Titanic struggles of Napoleon's genius amid the maelstrom of historic forces. The ceaseless action and reaction of Napoleon upon events and of events upon Napoleon draws him again and again from narration to discussion, suggestion and interpretation. Here, as in his treatment of Charles V., Luther and Bismarck, he is at his best in marshalling the elements of the European situation to explain the policies of Napoleon. It is in the conjunction of historical forces within and without France rather than in any lust for war and conquest that Professor Lenz finds the explanation of Napoleon's campaigns and policies between 1803 and 1815. The view is not new but it is vigorously stated. Tilsit, of which he has published a special study, is for Dr. Lenz the turning point in a career which began at Toulon and ended at Waterloo.

The translation is of uncertain merit. In general it may be criticized for failing to render the controversial vigor of the original

German. Liberty is taken to omit words and whole sentences (cf. pp. 21 and 29 of the translation with pp. 13 and 17 of the original). The translation of *Menschheit* by *manhood* (p. 30) is inexcusable. As a piece of book-making, this high-priced translation is neither in print, maps or illustrations comparable to the inexpensive German edition. Had the book been less of a publishers' venture and more of an attempt to render into English otherwise unavailable material, the choice from the *Monographien zur Weltgeschichte* might well have fallen upon other issues than Lenz's *Napoleon*.

G. S. F.

*Bonapartism: Six Lectures delivered in the University of London.*

By H. A. L. FISHER, Fellow of the British Academy and of the two St. Mary Winton Colleges. (Oxford: The Clarendon Press. 1908. Pp. 123.)

THE general substance and the connections of these lectures are indicated in the titles: The Bequest of the Revolution; the Napoleonic State; Napoleon and Europe; the Growth of a Legend; the Rise of the Second Empire; the Downfall. In the preface the author anticipates the charge of disregarding dramatic unity in an effort to treat together the First and Second Empires by contending that "though divided from one another by more than a generation, these two Bonapartist governments were to a large extent inspired by the same principles, rested upon the support of the same intellectual and social forces, appealed to the same appetites, flattered the same vanities, and shared in the same kind of ruin."

Mr. Fisher is already well known to students of the Napoleonic epoch by his remarkable volume on *Napoleonic Statesmanship in Germany*; it is refreshing to find a modern scholar drawn to and capable of alike the minute scrutiny and painstaking presentation of the earlier volume and the brilliant generalizing of this. It is now forty years since another brilliant generalizer, Heinrich von Treitschke, grappled with the same difficult and fascinating problem, and a comparison of the two efforts (which my space forbids) would be of much interest from several points of view. The later writer has the advantage of position, but is subject to greater limitations of space and circumstance. It is probably due mainly to these limitations that we are left not wholly satisfied with the demonstration of the unity that the author claims; a series of six lectures certainly cannot be held to exact and full demonstration. Such a sketch is further entitled to some exemption from minute criticism, and it will be probably most useful for the present reviewer to try and indicate some of the author's most interesting positions.

In the discussion of the Bequest of the Revolution, Mr. Fisher points out that Napoleon Bonaparte's contention that the executive power was, equally with if not more than the legislative, the national

representative, and that executive action must be protected against legislative interference, was identical with Revolutionary doctrine and based upon the Montesquieu doctrine of the separation of powers; it might be objected that if Napoleon was logical in this matter the Revolutionists had not been, and that it may be misleading to speak here of the bequest of the Revolution. A striking remark is quoted from Napoleon (p. 22), with respect to his "adumbration" of the doctrine of the strong executive founded upon the plebiscite; this suggests the regret that the author in proceeding to the publication of his lectures had not condescended to append unobtrusively some of his references. The description in lecture III. of the government of Napoleon I. is remarkably clear and suggestive; the advocate of decentralization will, however, probably be somewhat perplexed by the first part of the statement (p. 36) that "the great truth was discovered that the value of institutions depends upon the degree in which they assist the free development of human powers and the adequate remuneration of human merit." It is not clear why part of the criticism of domestic government should be placed in the following lecture, Napoleon and Europe; if space permitted, the reviewer would dispute the justice of the sweeping assertions on pp. 59-60 as to the arbitrariness of the imperial administration. In dealing with the foreign policy of the First Empire the denial of consistency and coherence seems too strong; that Napoleon I. was as "a child who amuses itself with bricks" is a remark hardly in line with the prevailing judicial tone.

The element of Bonapartism furnished in the Napoleonic legend that grew out of the advantageous position of Napoleon Bonaparte at St. Helena and the remarkable skill with which he utilized that advantage, is set forth with dramatic vigor, but perhaps also with dramatic exaggeration, and with an inadequate recognition of the degree in which the claims of Napoleon might be defended from the records of his government. It is no doubt lack of space that is mainly responsible for the inadequate treatment of the other bases of the revival of Bonapartism and of the development of that revival; it is, however, when we reach the building-up and operation of the Second Empire on these bases that we have most reason to regret Mr. Fisher's limited opportunity. For it is here that we look for, and do not wholly find, the justification of the claim of the preface as to the substantial unity, in substance and history, of the two régimes. The personal element seems to be prominent at the expense of the theory (especially as to Louis Napoleon), in view of the fact that few personalities have differed more than those of the uncle and nephew. That the personal element can be the chief element of unity seems as doubtful as that the content of the initial problem is adequately indicated in the author's opening words: "There is no mystery about the origins of Bonapartism. It is the child of Napoleon Bonaparte and the French Revolution." The treatment of foreign relations does not leave us on firmer ground;

while the effort to emphasize analogies and suggest connections is of much interest, the general result is more adapted to give point to a popular lecture than satisfaction to the student.

But the reviewer is perhaps falling into the captious criticism he would avoid, and he hopes that it may still appear that he regards Mr. Fisher's striking summary as of unusual interest. The serious student will find it suggestive and stimulating, and the general reader, tempted to read more, will not easily find more of the same kind. That the author has telling gifts of historical presentation is clear on every page; his lucidity and power of summary are aided by a constant attention to literary form, and by a skilful use of some striking bits of literary material.

VICTOR COFFIN.

*Deutsche Geschichte.* VON KARL LAMPRECHT. Zehnter Band. (Berlin: Weidmann. 1907. Pp. xii, 539.)

HOLDING closely to the plan fixed by its predecessors, the tenth volume of Lamprecht's history carries the interpretation through the period from the end of the Vienna Congress to 1848. Approximately two-thirds of the space is devoted to culture history and the remainder to the development of the political system and of political thought. As usual the reader is as much impressed by what the book does not contain as by its actual contents. Lamprecht chooses to consider great individuals and even epoch-marking events as significant only in that they indicate the trend of the national spirit (*Geist*). History to him is not the record of exceptional men but the unfolding of the powers of the nation, a process as nearly spontaneous as the growth of an organic body. The first two chapters have to do with the earlier and later phases of romanticism, and the order of topics is the one that has now become familiar to Lamprecht's readers. First are treated philosophy, poetry, music and the other fine arts, then the physical sciences. Romanticism, of which the earliest phase ended with the wars of liberation, was the first development of subjectivism which penetrated the whole of the nation. Earlier aspects of this soul-mood had affected only particular centres and cities. Of the philosophers of romanticism Fichte was the first and in some respects the greatest, and he best typifies its mystic tendency. From the later romanticism to realism the transition was almost imperceptible; the greater dominance of the exact sciences in all branches of culture is the distinguishing note. Lamprecht cites only to vigorously deny Treitschke's remark that the development of the physical sciences was decisively influenced by the methods of historical criticism. He thinks that the influence was exerted in exactly the opposite direction.

In the ninth volume the author had brought the discussion of political events down to 1815 (see this REVIEW, XIII. 351). Immediately after the Vienna Congress came a period when German political life

reached the lowest point to which it ever sank. This, however, was not true of the whole of Europe, and in a general survey of the history of Europe in this time Lamprecht finds much that was hopeful. The largest centres of interest from his point of view lie in the Greek and Belgian revolutions. Perhaps the principle of nationality may be taken as the most thoroughly characteristic note of subjectivism in politics. German national sentiment had grown to great proportions during the wars of liberation, but "it is to be noted that the spirit of the liberation wars did not at all arise from a uniformly distributed sentiment. The lesser states of the west did not share the Prussian enthusiasm, nor did Austria wholly do so; hence there did not spring up in these states a deep and passionate feeling for the united fatherland. Whatever sentiment had existed outside of Prussia for the greatness of the nation was largely drawn to Prussia: Stein and Scharnhorst, Hardenberg, Blücher and Gneisenau, Niebuhr, Fichte and K. F. Eichhorn, with many others, were not native Prussians" (p. 382). Before 1830 the liberal movement, manifesting itself chiefly in the universities, turned towards constitutionalism rather than national unification. In the southern states the French influence was still strong, and south German *Parlamentarismus* stood in strong contrast to the *Absolutismus* of the north, where Prussia's example was and had remained predominant. After the July revolution the young German movement became the exponent of a type of practical patriotism which is clearly distinguishable from the old sentimental love of the fatherland and which aspired definitely to the creation of a united nation. Best reflected at first in lyric poetry, this radical trend began, soon after 1840, to find open expression in parliamentary discussion, especially in the southwestern states, and, just before 1848, in spasmodic popular risings.

While liberalism was thus developing towards its culmination the conservative school of thought was well entrenched behind the actual administration. Conservatism like liberalism held to the organic theory of society, but it was also rooted in religious ideas. It sought "unity and infinite perfection as well as organic harmony of the universe in this principle: the creation of a church-state system as an articulated whole, with a union of the parts through the ordered functioning of the parts and the whole; with a master principle like the Eros of Plato and the *amor infinitus* of Spinoza, but with a practical trend and therefore the basis of all poetry and all reality" (p. 443). Conservatism as well as liberalism was an outgrowth of the romantic period. "If we seek to penetrate to the sources of conservative thought it is evident that they are to be found not in the theories of such publicists as De Maistre, Albrecht von Haller or Adam Müller, but rather in the writings of the early Romanticists like Novalis and the Schlegels, and particularly Friedrich von Schlegel" (p. 442). Between an absolutist social philosophy of this type and the growing idea of popular sovereignty the



conflict which followed in the year of revolutions is seen to have been inevitable. Whatever may be the verdict on Lamprecht's historical method, however much one may quarrel with his perspective, it cannot be denied that he has, in this final chapter, given a masterly analysis of the social-psychic forces in German life during the critical period just before 1848. It was naturally to be expected that, in writing of an age near enough to his own for its dominant trends to be personally felt, his method would have more of the air of reality than when applied to remoter periods where the treatment must at best be mainly objective. The present volume certainly is vital and well-compacted in a degree which hardly characterizes the earlier ones of the series.

ULYSSES G. WEATHERLY.

#### BOOKS OF AMERICAN HISTORY

*The American Revolution.* Part III. By Sir GEORGE OTTO TREVILYAN, Bart. (New York and London: Longmans, Green and Company. 1907. Pp. xii, 492.)

THE work of which this volume is a part has appeared in two forms. One form—let us say the first—consists, up to date, of three parts forming four volumes. Part I. forms one volume, then comes part II., vol. I., then part II., vol. II., and then part III., the volume before us. The second form consists, up to date, of three volumes, vol. I., vol. II., and vol. III., to which, it is understood, a fourth volume is to be added to bring this form up to the point reached by the first.

Part III. embraces the most stirring and generally interesting period of the American Revolution. It covers the campaigns of Saratoga and the Brandywine, the encampment of Valley Forge, and the successful negotiations of the American commissioners with the court of France. The author is one of the small number of Europeans represented by Chateaubriand, de Tocqueville, von Holst, and Bryce, who have written about the United States of America in a spirit of sympathy, and with a comprehension which has enabled them to enlighten Americans about their own country and institutions, about their endeavors and their achievements. Sir George sets forth events and their causes and consequences with the fairness, not so much of a neutral as of a partizan of both sides. To him the American Revolution is veritably a family quarrel. As a kinsman of both contestants he takes a proud satisfaction in recognizing whatever is commendable on the part of either.

At least in one case his commendation of American military spirit is excessive. He says that in the course of the war Massachusetts sent to the front nearly 70,000 troops, meaning regular troops, or Continentals. This statement he bases upon Knox's report communicated to Congress in 1790. The report does not warrant such a state-



ment. Knox gives only the number of enlistments (including transfers, etc.) which were credited to the several states from year to year; these enlistments were for periods varying from a fraction of a year to a number of years. Sir George's 70,000 must have been obtained by the addition of Knox's yearly numbers for Massachusetts. Now there is no telling from Knox's tables how many of the enlistments reported for a certain year were included in the report of the year before. It may be doubted whether the sum of those which he credits year by year to Massachusetts, 67,907, represents half that number of men. Sir George says that the contribution made by Massachusetts in the course of the war was "all but double that furnished by any other state in the American Union". This statement, unaccompanied as it is by any indication of the comparative population of Massachusetts, has not the significance which it seems intended to have. The quota of Massachusetts was much larger than that of any other state. Reckoning as Sir George does, Knox's figures show that during the years 1777-1783 inclusive, Massachusetts furnished about 72 per cent. of her quota of Continental troops; and the other states, on an average, about 52 per cent. of theirs; also that Connecticut furnished about 75 per cent. of her quota; and New York, the great Tory state, about 77 per cent. of hers. According to this showing, Massachusetts was neither pre-eminent nor remarkable for military spirit.

The author naturally devotes the greater part of his space to military operations. But he makes no pretense of treating these as a technical military study. His exposition, however, is exceedingly interesting and effective by reason partly of their inherent picturesqueness, and partly of his vigorous word-painting. He pictures the contestants with their appropriate backgrounds and atmospheres from the commanding generals down to the private soldiers, including the Indians on one side and the militia on the other.

He animadverts on "the preposterous character of Germaine's grand strategical combination" for mastering the course of the Hudson, but the fundamental questions as to what that mastery would have been worth had it been attained, how it would have had to be supplemented, and what forces would have been available therefore, after the line of the Hudson and the lakes had been occupied with a chain of posts—he leaves, like other historians of the Saratoga campaign, unanswered and unasked. His fresh description of the familiar scene in the British camp on the eve of the surrender, when hunger and exposure and the fire of artillery and sharpshooters were sapping the strength and trying the souls of its occupants, is a vivid and impressive illustration of the traditional pluck of the British fighting-man.

His appreciation of the faithful and valuable services of the Continental Congress is a refreshing novelty which will cause some self-reproach among Americans. In one particular, however, he casts a reflection upon this worthy body, which if justified, would efface with

ignominy all that he says in commendation of it. Referring to the repudiation of the convention of Saratoga, he says: "To come off second best in a bargain has never been to the taste of Americans; but on this occasion their national word had been sacredly pledged, and their government was under an obligation to abide by it. . . . The violation of the Saratoga Treaty remains as a blot on the lustre of the American revolution." A treaty can not be violated before it is ratified. The national word could not have been broken, because it was never pledged. Burgoyne should have known and considered that Gates could not guarantee anything but the conditions under which his army should march out, and give itself up. That Gates more than fulfilled this part of his agreement is amply attested by the author and other historians.

The transactions by which Beaumarchais furnished arms, clothing and other supplies to the Americans, and the negotiations which led to the Franco-American alliance, make an absorbing story of French duplicity and fatuity, followed by retribution.

"That million of francs", says Sir George, "by the judicious and timely disbursement of which the French Ministry had hoped to inflict a mortal injury on the British power with small cost and danger to themselves, had grown before the affair was finally settled, into a war expenditure of something very near a milliard and a quarter; and the royal government of France, which had stooped to such unroyal practices was submerged in an ocean of bankruptcy where it was destined miserably to perish. That was what came of an attempt to fight England on the cheap."

Frederick the Great is credited with shrewd statesmanship and clever diplomacy in playing France off against England and preserving the neutrality of Prussia.

The military narrative is supplemented with three outline maps which assist the reader in following the movements of the troops. There are three appendixes, consisting of two letters and an anecdote about Franklin.

JOHN BIGELOW, JR.

*Millard Fillmore Papers.* In two volumes. [Publications of the Buffalo Historical Society, volumes X., XI., edited by FRANK H. SEVERANCE, Secretary of the Society.] (Buffalo: Buffalo Historical Society. 1907. Pp. xlv, 445; xiii, 569.)

THE Buffalo Historical Society has honored the memory of its most distinguished member by publishing the collected writings of Millard Fillmore in two stout volumes under the careful editing of Mr. Severance. Beside the Fillmore Papers there are biographical introductions, an historical address by General J. G. Wilson, some interesting reminiscences and a dozen or more portraits. The papers themselves are arranged by Mr. Severance chronologically under appropriate headings

and consist chiefly of legislative speeches, political addresses and private correspondence, in the selection of which the editor has shown excellent judgment, excluding the trivial or local matter which is too often allowed to cumber the pages of historical society publications. In both volumes few errata have been noticed and only a few slight errors, such as the misplacing of a letter in January, 1840, whose contents show that it belongs in 1841, and the misreading of the names of Dr. Gamaliel Bailey in a letter of April, 1844.

The character of the papers thus collected is a reflection of the mind of Millard Fillmore, than whom no more conventional writer of English can well be imagined. We are told that "Pope was his model and the *Essay on Man* was his idea of verse. He thought Shakespeare much overrated", and we find him writing and speaking with clearness and directness but without a spark of vivacity, humor, or imagination. With the exception of a long speech on the tariff of 1842 and an elaborate essay on the slavery situation which was at first intended to be included in the annual message of 1852, the documents in these volumes are brief businesslike utterances. From the succession of such letters, addresses and political speeches, one can follow the career of Fillmore from the school-house at Aurora, through the New York legislature, the federal House of Representatives, the comptrollership of New York, the vice-presidency and the presidency, to the years of honorable retirement as first citizen of Buffalo; and one may learn how a man without originality, breadth, personal magnetism or eloquence may through sheer sturdiness and steadiness of character, prosaic good sense and personal kindness and dignity of bearing maintain himself as the representative and leader of a community. Fillmore was a born conservative, with a mind wholly at ease within the shelter of a few clear beliefs. He worshipped the Constitution, the law and the existing order as a whole; he deplored slavery and condemned secession, but throughout the whole sectional contest he never ceased to regard the orderly, legal conduct of affairs as the sufficient goal of political effort. From his utterances one may gather significant examples of this point of view, and in this, to a large extent, is the value of the publication—a representation of the typical Northern conservative. In the crisis of 1850 and the later controversy over the Fugitive Slave Law, Fillmore's conduct, as revealed in these papers, shows neither timidity nor weakness but only caution and a desire to act the legal, constitutional part. Unmoved by the passions of the Southerners or the anger of the Free Soilers, his unionism seems pale and thin as compared with the strong flame burning in the speeches of Webster and Clay. Singularly cool-headed, he seems to have felt anger only over some violation of law, and the only strong epithets in the two volumes are applied to the unseating of Whig congressmen by the Democratic majority, "a damning deed of infamy". Individuals he rarely condemns, and even when, in 1848, his long friendship with Thurlow Weed came to an end, his

letters were almost devoid of bitterness. This rupture with Weed, it should be added, had one unfortunate result in terminating the series of letters which throw light upon the history of the New York Whig party and show Fillmore in the midst of political intrigue as steadily loyal and strikingly lacking in personal ambition. This poise he kept to the end, even when condemning Lincoln's administration and voting for McClellan. On the whole, one derives from these papers an increased respect for the honest conservatism of the man's character and a deepened sense of his limitations as a statesman.

THEODORE CLARKE SMITH.

*Jefferson Davis.* By WILLIAM E. DODD, Ph.D. [American Crisis Biographies, edited by ELLIS PAXSON OBERHOLTZER, Ph.D.] (Philadelphia: George W. Jacobs and Company. 1907. Pp. 396.)

THIS is the eighth issue of the so-called *American Crisis Biographies*, of which the ninth, the life of *Alexander H. Stephens* by Louis Pendleton, has since appeared. Professor Oberholtzer, the editor of the series, stated in his announcement that it would be impartial in character, "Southern writers having been assigned to Southern subjects and Northern writers to Northern subjects", all belonging to that younger generation which has grown up since the close of the great struggle, and "thus assuring freedom from any suspicion of wartime prejudice". This is a somewhat violent assumption; as is more strikingly apparent in Bruce's *Lee* and Pendleton's *Stephens* than in the volume now under consideration. Throughout this life of the Confederate president Professor Dodd evinces two of the great essentials of a successful writer of biography. He is thoroughly sympathetic with his subject; and yet throughout judicial in tone. The critical attitude he has assumed towards Mr. Davis has, indeed, excited more or less adverse comment in what was once the Confederacy; but nevertheless Professor Dodd endeavors throughout to do discriminating justice to one whom he properly regards, and who will unquestionably hereafter be regarded, as a great historical character.

The author is not always accurate in his statements, as is apparent at several points in his account of the capture of Davis; and he sometimes indulges in rather sweeping generalizations. A marked example of this last is in his extraordinary statement (p. 47) that Mr. John C. Calhoun was during his long prominence in political life at Washington, lasting over forty years—from the War of 1812 to his death in 1850—"perhaps the only really prominent figure in the social and political life of the capital who was never known to drink to excess". Considering that James Monroe, J. Q. Adams, Andrew Jackson, Martin van Buren, John Marshall, Joseph Story, Winfield Scott, Lewis Cass, and divers others equally easy of mention, were during that period beyond question "really prominent figures in the social and political

life of the capital", such a statement certainly calls for revision in any subsequent edition of a political biography intended for popular reading. Again (p. 207), Professor Dodd makes another statement far too general in character. He there says, "however illogical it may appear, the country at large believed that any state had the right to secede when its special interests seemed to be in imminent peril." Referring as it does to the long period subsequent to the death of Chief Justice Marshall down to 1860, this statement will not bear an instant's critical examination. The "Union, it must and shall be preserved" attitude of Andrew Jackson towards Nullification alone disproves it. That it is true of certain of the states, more especially those which afterwards composed the Confederacy, might be conceded. It is unquestionably true of South Carolina as an individual state. It is not true, however, of the majority of the states, especially of those constituting the new North. The process of nationalization had there made much further progress than Professor Dodd seems to suppose. In dealing with the issues which led up to the War of Secession it is always to be remembered that the influences at work in the slave-holding states were of a character wholly different from those at work in the free states. Into the slave-holding states there was no large foreign immigration. But during the period succeeding the death of Marshall there was an enormous and ever-increasing tide of foreign life swarming into the free states, especially those of the Northwest. This immigration was largely Irish and German; and, to the German and the Irishman, the idea of a divided sovereignty was very much what the one God and Christ crucified were to the Greeks or to the Jews—foolishness or a stumbling block. State sovereignty was therefore, during the period between 1840 and 1861, a living reality in the South but a rapidly vanishing political theory in the North.

Turning, however, to the more interesting portion of Davis's life, that connected immediately with the War of Secession, the time has now unquestionably come when it can be looked at in a large way, as in a measure it is looked at by Professor Dodd, and certain conclusions reached which are not likely hereafter to be revised in any considerable degree. The question of the origin of the Confederacy, the theory under which secession was brought about, and the cause of its failure may be passed upon, and a verdict, fairly to be considered final, rendered. On what theory, based upon any hope of probable success, did the Confederate States secede from the Union? With what ability was the struggle for independence conducted? And what were the causes which most powerfully contributed to its failure? Was that failure foredoomed from the commencement, or was it due to circumstances in any way accidental or fortuitous? Jefferson Davis was the head of the Confederacy, and in his hands were reposed powers almost dictatorial. Was the failure due to any lack of capacity on his part? Or, so far as he was individually concerned, will the verdict of history be that, taken as a whole, he made the best fight possible?

There is no question that today, among the confederate-descended generation dwelling in the region which constituted the Confederacy, the second place in regard and confidence has been accorded to Davis. The first is unquestionably held by Lee. Throughout what was the Confederacy Lee is looked upon with affection and respect, and with an admiration accorded to no other political character since the day of Washington. He stands second among the great Virginians; if indeed not upon an equality with the greatest. It is somewhat otherwise as respects Davis. During the time immediately subsequent to the collapse of the Confederate cause he was held to a certain degree responsible for that collapse. It was attributed largely to his failure to grasp the possibilities of the situation; to make the best selection of agents; to avail fully of the resources of the South. Diplomatic errors, errors of finance, mistaken judgments as to men, were attributed to him. Reviewing, however, the whole field in the light of the fuller records now accessible, and from the standpoint of forty years later, it may confidently be said that these adverse judgments have undergone, and are now undergoing, material revision. It is today generally conceded that Jefferson Davis was not only a man of high character and great ability, but that he, so to speak, fought the Confederacy for all it was worth, that he was responsible for no very considerable error of judgment, and that the failure of the cause entrusted to him was due to inherent weaknesses which neither he nor any other man could have made good.

This Professor Dodd fairly shows in a presentation which is deserving of wide and thoughtful consideration, especially at the North.

CHARLES F. ADAMS.

*The Reminiscences of Carl Schurz.* Volume I. 1829-1852. Volume II. 1852-1863. (New York: The McClure Company. 1907. Pp. 406; 467.)

Is there another autobiographical or biographical work in the English language which presents greater contrasts, in matter and in manner, than this? The career of Carl Schurz was unique and one would expect a vast difference between the story of his youth and that of his mature manhood. We may make allowances for the fact that the scene of the first volume is his native land and that its events are the share of a hot-headed young man in an attempt at a revolution, whereas the second volume narrates his rise as a serious politician in a strange country and as a general in a civil war. But that accounts for the difference only partially. One has almost the feeling that the two volumes do not deal with the same man. Indeed, in the student at Bonn, in the aide-de-camp of Anneke at Kaiserslautern, pointing an empty pistol at a priest in a comic-opera arrest of the good man, in the daring rescuer of Kinkel from the penitentiary at Spandau—in the character thus portrayed there is not the slightest hint of the man he afterward

became. It follows as a matter of course that in the country lawyer of Wisconsin, in the oratorical champion of slavery, and particularly in the statesman of the last forty years, the story of which he did not live to finish, one can detect nothing which suggests his stormy and lawless youth. Moreover, although Mr. Schurz was doubtless unconscious of it, the style of the two volumes differs greatly, too greatly to be explained by the fact that the first was written in German, and translated admirably, whereas the second was written originally in English.

There is a like difference in the interest of the two volumes, at least to the American who is familiar with the political history of his country. The first deals with a revolutionary movement in a country which was not the chief scene of revolutionary disturbance, at a time when revolution was in the air of many European countries. For the very reason that the events narrated took place in Prussia and not in France, the story possesses historical importance; and Schurz's own part in it we follow, now with amusement at the audacity of the insurgents, now with almost breathless interest in the writer's adventures—his flight after the failure of the enterprise; his escape from Rastatt through a sewer and his forlorn journey to Switzerland; his plot, under an assumed name, finally successful, for the rescue of Kinkel, under the very noses of Prussian officers who could have arrested him and sent him to trial for his life; and the escape to Scotland.

There is not a thrill in the second volume. We see the same man nominated for lieutenant-governor of Wisconsin less than seven years after he first set foot in a country where English was spoken, when his only knowledge of the language was the two words "beefsteak" and "sherry", and we follow his brilliant career as an orator, a foreign minister and a civil-war general to the spring of 1863. So far as the narrative is personal it is interesting, but not absorbingly so. It throws no new light upon public events, Mr. Schurz was not the sort of man whom managing politicians—not using the term in a bad sense—take into their confidence, and consequently his reminiscences reveal nothing that was not already known. One result of the fact that his intercourse with public men was always serious is that there is a lack of anecdote, and a lack of the human element in the characterization of those men, that make the volume rather dull reading to one familiar with the political history of the time, until one comes to the war episode in his life.

Nevertheless, the very features of the work which detract something from our interest, point to positive virtues in Mr. Schurz's character. He was too serious, too high-minded, too sturdily and constantly devoted to his own principles, to think of commingling light matter with the moral lessons of the events in which he bore a part. He fancied, in one or two passages he says, in effect, that he was not uncharitable toward those who differed from him. But he was. He



was so sure that he was right, and so earnest in hoping and working that the right might prevail, that he could not believe in the sincerity of an opportunist. So he was the worst and most intractable of party men, indeed, not a party man at all. Whether wise or mistaken in his view as to the most effective means of accomplishing this or that desired object, his conscientious and resolute adherence to what he conceived to be right entitles him always to the highest respect.

Yet he had his weaknesses. One does not really know whether to take his modest expressions of surprise at his own success as an orator in the United States as expressions of modesty or as manifestations of pardonable vanity. For he gives too many instances of his oratorical achievements to leave the impression that he wishes to suppress all that are unnecessary. In one case he has fallen into an amusing error. In 1859 he went to Boston and made an address on the "True Americanism". The Massachusetts general court had submitted to the people an amendment of the state constitution requiring foreign-born citizens to reside in the United States two years after naturalization before acquiring the right to vote in the commonwealth. Mr. Schurz's account of the Know-Nothing movement, if read by one unacquainted with political history, would lead that reader to suppose that the movement was in its incipient stage in 1859, whereas the Know-Nothing party had been dead in all the Northern states for three years. Mr. Schurz reports that this address was very warmly applauded, that he "received no end of compliments", and that he was told that the printed report produced an excellent effect in the interior of the state. He adds: "Perhaps it did contribute a little to the defeat of the 'two years' amendment'." But the amendment was not defeated. The people accepted it on May 9, 1859, by a vote of 20,753 to 15,129 and Governor Banks proclaimed it on May 20. It was annulled by popular vote in 1863.

It is not to be expected that a work of this sort should be free from mistakes, and Schurz can easily be pardoned for thinking that on this visit to Boston he was entertained at a dinner in "one of the patrician houses of the town". But how can one account for the remarkable misunderstanding of a situation, or lapse of memory, which is contained in his version of the circumstances in which he was appointed Minister to Spain? A comparison of that account with an extract from the diary of the late Hon. Charles Francis Adams, dated March 10, 1861, which his son, the present Charles Francis Adams, read at the meeting of the Massachusetts Historical Society, June, 1907, reveals irreconcilable differences; and certainly a strictly contemporaneous narrative is likely to be more nearly correct than Mr. Schurz's memory of what took place forty years before.

A review of so attractive a work by so eminent a public man should not end with what may seem a carping criticism; for after all it is a worthy record of a great career.

EDWARD STANWOOD.



*Jay Cooke, Financier of the Civil War.* In two volumes. By ELLIS PAXSON OBERHOLTZER, Ph.D. (Philadelphia: George W. Jacobs and Company. 1907. Pp. xi, 658; vi, 590.)

For the preparation of this biography Mr. Oberholtzer was entrusted with an enormous mass of material which had been carefully preserved by the family for the distinct purpose of preparing a memorial. Acknowledgment is made of the generous assistance which has thus been rendered, but Mr. Oberholtzer adds that he has been under no restrictions of any character except his own sense of what was right and true. The author has done his work well and honestly. He has drawn generously on the papers placed at his disposal; so freely indeed that if the period had not been one of eventful interest, and the characters of more than national importance, the narrative might in places have become wearisome. Apparently Mr. Oberholtzer has suppressed nothing. The weaknesses of Cooke, the extravagance of his hopes, the easy accommodation to the business standards of a generation morally deficient, have not been concealed; and yet after all is said and read, the reader will probably agree with the author's final judgment: "He was a marvellous financier, a firm patriot, a good man."

For the student of American history the work falls naturally into three parts: first, pictures of life in Ohio and Philadelphia between 1830 and 1850; second, the tremendous difficulties in financing the Civil War; and third, the account of corporate finance as shown by the efforts to provide money for the Northern Pacific Railroad. There are few sources which furnish such attractive material for glimpses of a well-to-do home in what was then a frontier state, Ohio, as are given in this biography. As a boy, Jay Cooke was a ready letter-writer, freely revealing the thoughts, ambitions and daily activities of the several members of the family, and the forty pages devoted to his youth constitute a distinct contribution to social history. At the age of eighteen, in 1839, the lad entered upon the business of banking in Philadelphia, and a year later, among his other duties, contributed a daily money article to the *Daily Chronicle*. The chapter covering this period gives many interesting details, not only of Philadelphia business and social life, but of the methods of banking, and more particularly in regard to the friction of domestic exchange.

Cooke was a living example of the influence of sentiment in controlling and moulding economic forces. In placing the Pennsylvania loan in 1861, he insisted that he could sell it on patriotic principles more easily than on a basis of profit and loss, and from this principle throughout the Civil War he never deviated. Patriotism and not money-getting are the constant text of the circulars to the public. In 1865 he wrote: "We cannot save the finances unless a bold, cheerful, hopeful, sanguine view—a brag view, is taken of our condition. The people must be encouraged, not depressed." When the war was over and propositions were brought forward to pay the bonds which he had done so

much to place, in greenbacks instead of in coin, his anger was again aroused, and in a letter to his brother he declared that "the scoundrels deserve hanging, for the irreparable injury they are doing to this glorious nation." And it was this patriotism, the desire to develop the material sovereignty of the nation, which later led him to an overestimate of his own powers as well as of the support of the capitalists of the country in the railway development of the Northwest.

The relations between Chase and Cooke were intimate if not affectionate. There was no reserve in Cooke's devotion to Chase, which unfriendly criticism interpreted as prompted by selfish motives. In October, 1861, Cooke gave Chase a coupé which Chase was obliged to refuse; in February, 1862, Chase asked Cooke for a personal loan of \$2,000; in October, however, he reminds Cooke "of the necessity of putting a little more form into the addresses of your letters to the Secretary of the Treasury"; in June, 1863, Chase returns a check of \$4,200 representing the profits on the speculative sale of railroad stock which had never been actually delivered; but within a week another personal loan is requested. It is suggested that while secretary Chase would have been willing to abandon his office to enter Cooke's firm, and he was certainly in "earnest when a year after his appointment as Chief Justice of the United States he proposed a partnership in the banking business" (II. 59). In 1866 Chase "was not averse to the suggestion" that he be elected president of the Union Pacific (II. 102), and in 1869 he wrote that he should like to be on the board of directors of the Northern Pacific and was half tempted to offer himself as a candidate for the presidency (II. 130). But apart from personal details which throw much light on the character of Chase, no inconsiderable part of the two volumes is a financial history of Chase's administration as secretary. Sherman, Fessenden, McCulloch, and Boutwell are other public characters who figure largely in the correspondence. Jay Cooke and his brother Henry D. Cooke are given much credit for the passage of the National Banking Act and long extracts from Cooke's manuscript *Memoirs* are quoted to show how powerful state banks in New York City were practically clubbed into line by the threat of taking away the agency of selling government bonds and the establishment of a bank under Cooke's auspices.

The story of the flotation of the Northern Pacific Railroad is dismal reading, not only as a record of Cooke's failure which eclipsed his earlier success, but also as a representation of the low moral tone in the business world. For his own immediate gain Cooke was incorruptible, but he freely permitted his partners and agents to lobby, "fix" newspapers, and distribute stock where it would do the most good for his railroad enterprises. The most hostile critic of American institutions cannot wish for a richer fund of illustration than is afforded in these volumes; and yet, it furnishes the reader with the distinct impression that the evils were not fundamental; they show the thoughtlessness

and immaturity of a reckless generation rather than ingrained depravity.

DAVIS R. DEWEY.

*Early Concert-Life in America (1731-1800)*. By O. G. SONNECK.  
(Leipzig: Breitkopf and Härtel. 1907. Pp. 338.)

THE author of this work, Mr. O. G. Sonneck, is the leading authority upon early American music. His preceding researches into the subject of American operas, the first American composers (Lyon and Hopkinson), and early American secular music, have been most thorough and valuable. The present volume as well as the others mentioned are rather collections of historical data than actual musical history. Less attempt is made at telling a connected and readable story than at presenting all the facts bearing upon the case.

Mr. Sonneck seems prejudiced against the prominence given by some writers to Boston in the evolution of American music; after alluding to the earliest American concert, given in Boston in 1731, he says: "Though, therefore, Boston seems to have the right of precedence, I prefer to trace the earliest concerts given at Charleston, S. C., be it only to emphasize the fact that New England's share in the development of our early musical life has been unfairly and unduly overestimated to the disadvantage of the Middle Colonies and the South." This sentence shows our author less fair in drawing deductions than in unearthing records. His own excellent presentation of the musical events in Charleston proves the art-life in this direction to have been very intermittent and sporadic, while New England's music-work was almost continuous.

Nothing akin to the regular singing-schools of New England, or to the subsequent orchestral work of Boston, or to the foundation of permanent oratorio performances in the same city, can be found in the records of the other committees which are printed in this volume. In Charleston one finds tight-rope dancing, performances of magic, and other heterogeneous matters mingling with the music of the "consorts". Nothing of this kind disturbed the New England concerts, although sometimes, after the programme was ended, dancing was indulged in. Other facts may be culled from Mr. Sonneck's book to controvert his own opinion in this matter. Two very prominent musicians, Graupner and Van Hagen, after dwelling awhile in Charleston, left that city and settled in Boston. In an advertisement in the *Boston Evening Post* of June 17, 1771 (p. 18), we read the following:

CHARLESTON, SOUTH CAROLINA, April 11th, 1771.

The *St. Cecilia Society* give notice that they will engage with, and give suitable encouragement to musicians properly qualified to perform at their *Concert*, provided they apply on or before the first day of October next. The performers they are in want of are, a first and second violin, two hautboys and a bassoon, whom they are willing to agree with for one, two or three years.

The above facts tend to show that Boston was regarded as a prominent musical city in the last half of the eighteenth century. That the South had priority in the matter of founding a musical society seems established by our author.

When, however, one examines the record that Mr. Sonneck presents of musical activity in Philadelphia and New York, the rivalry to Boston becomes much more real. Here we find a collection of data of inestimable value. The minuteness with which our author has given programmes, advertisements, criticisms and other notices, may not make good consecutive reading but constitutes a book of reference that the American reader will duly appreciate. It is the material for history made ready to the hand of the future writer.

There are many cases of wandering from the subject, but these side excursions are often full of interest, as, for example, the history of conducting, given in the foot-note on pp. 71-72. The heavy character of the historical data is often lightened by side-lights upon the manners and customs of the times; musician's quarrels are amusingly recorded, and the account of the Boston musical scapegrace W. S. Morgan is as bright as a chapter in a novel. New historical matter about William Tuckey of New York, of Josiah Flagg and William Selby, of Boston, prove how microscopically Mr. Sonneck has gone over his material. The work is but another proof of his careful fidelity in research. All of his books deserve an honorable place in every American library.

A carefully prepared index closes the volume; the book, however, contains many misprints, which can easily be eliminated in future editions.

LOUIS C. ELSON.

*The History of North America.* Edited by FRANCIS NEWTON THORPE, Ph.D. Volume XX. *Island Possessions of the United States.* By ALBERT EDWARD MCKINLEY, Ph.D., Professor of American History in Temple College. (Philadelphia: George Barrie and Sons. 1907. Pp. xviii, 516.)

THIS, the twentieth and concluding volume of *The History of North America*, prepared by various writers under the editorial supervision of Professor Thorpe, is devoted, a little more than one-half to a history of the islands which for the most part have come to the United States in recent years, and the remainder to a general index in 220 pages to the whole series, an appendix giving a copy of the agreement of August 20, 1899, as to the sovereignty of the United States over the archipelago of Jolo, and a chronological table of important events. The volume also contains some excellent portraits of persons who have played a leading part in the events having to do with the establishment of the sovereignty of the United States over these islands, besides other illustrations more or less pertinent.

Whether one finds the treatment of his subject by Professor McKinley satisfactory or not will depend entirely upon the point of view taken as to the character such a history should have. As a straightforward, lucid and interesting narrative of historical happenings the work leaves little to be desired. The events leading up to and marking the war with Spain and the occupation of Cuba, Porto Rico, the Philippines and Guam, are first given in three chapters, the history of events in Cuba being brought down to the uprising against Palma's government and the second intervention of the United States in 1906. Following this is given for each island a discriminating summary of the rather involved history of events prior to American occupation, with a somewhat fuller account of events under American rule. This work appears to have been carefully done. Especially is this true of the history of the islands prior to American occupation, and in it the student will always find a useful survey of the important events marking the history of the discovery, colonization and administration of these islands prior to American intervention.

Little or no attempt, on the other hand, has been made by the author to discuss matters of policy or to pass judgment upon controverted points, such as the wisdom of the acquisition by the United States of island territory, the relative merits involved in the Sampson-Schley controversy, or the praise or blame which should be accorded for the manner in which the war was conducted by the commanders in the field and by the War Department at Washington. No effort, likewise, has been made to present any real consideration of the problems of administration of the new dependencies or of the questions that present themselves relative to the economic and industrial development of these territories.

This decision by the author to restrict the scope of his work to the historical field in its narrowest sense was, in the opinion of the reviewer, a wise one. A full consideration of all of the questions arising out of the acquisition by the United States of over-seas territory involves studies along three quite different lines: that of the history of events proper; that of the organization of systems of government and of the administration of public affairs; and that of the special problems, political, economic and social, that present themselves for solution. For the present, it is probably preferable that each of these three subjects should receive separate treatment. As stated, students are indebted to Professor McKinley for his careful survey of the first field. The only criticism of importance that suggests itself is, that though it may not fall within the scope of the work yet it would seem that the inclusion in his study of an account of the events having to do with the intervention of the United States in Santo Domingo and Panama would have been pertinent and would have added not a little to the value of the work. It is difficult, moreover, to understand why the author should have thought that the agreement between General

Bates and the Sultan of Jolo was of sufficient importance to warrant inclusion in full as an appendix. Of much greater interest would have been the reproduction of the letter of instruction issued by President McKinley, April 7, 1900, to the Second Philippine Commission. This letter of instructions deserves to rank among great state papers. It is a model statement of the high and far-seeing principles that should be adopted by any government in taking action for the government and administration of affairs of a dependent territory, and should be read by all who desire to know the spirit with which those in authority have from the beginning sought to perform the great responsibility resting upon them of looking after the welfare of the millions of persons who have now become the wards of the nation.

W. F. WILLOUGHBY.

*La Intervencion Francesa-en México, segun el Archivo del Mariscal Bazaine.* [Documentos Inéditos ó muy Raros para la Historia de México, edited by GENARO GARCÍA. Tomo XIV.] (Mexico: Bouret. 1907. Pp. 283.)

*La Intervencion Francesa-en México, segun el Archivo del Mariscal Bazaine.* Segunda Parte. [Documentos Inéditos ó muy Raros para la Historia de México, edited by GENARO GARCÍA. Tomo XVI.] (Mexico: Bouret. 1908. Pp. 280.)

THREE preceding volumes (the first, fourth and thirteenth) of this noteworthy series of documents for the history of Mexico have contained correspondence of leading Mexicans connected with the French intervention in Mexico from 1861 to 1867. Supplementing that correspondence, the editor of the series has undertaken the publication of documents deposited in the Secretariat of Foreign Relations and selected from the papers of Marshal Bazaine, military and political viceroy for Napoleon III. in Mexico from July, 1863, to March, 1867. Obviously the printing of confidential and inedited material written by leading actors in such an important international episode is a matter of considerable significance to historical scholarship. The rich stores of public archives and manuscript documents preserved in Mexico, so largely inaccessible to students of her national and international history, need systematic exploitation and publication. Señor García's editorial labors are an encouraging indication of appreciation of this fact.

Upon the field covered by the two volumes now under review, that is, from July, 1862, to November, 1863, a very considerable body of documentary material has been in print for many years. Mention of a few sources will indicate their extent. The governments of the United States, Great Britain, France and Spain, published voluminous selections from their diplomatic correspondence. Kératry, Domenech, Lefèvre, Detroyat, Niox, Gaulot, De la Gorce, all writing upon general

or special phases of the subject of the French in Mexico, used and quoted documentary materials. Gaulot in an especial degree gave his readers large extracts from documents collected by Ernest Louet, paymaster-general of the French expeditionary forces in Mexico, who had obtained original papers from many sources, but especially from Bazaine. Sundry participants in the expedition also published first-hand accounts of their experiences. Questions then naturally arise, in estimating the value of this new publication of sources: Does it give an exhaustive and definitive edition of materials, or, does it consist of new matter to supplement that already accessible? The editor has given neither the one thing nor the other. His prefaces proclaim a *caveat* to the reader or critic that he will present merely a selection from the papers of Bazaine, such as he thinks suitable for publication. In the exercise of his editorial discretion he has not avoided the republication of many well-known, often-cited documents. Neither has he taken the pains to indicate by editorial notes where these documents have been previously published, or to what extent he prints previously unknown matter. In a word, he has issued one more fragmentary collection, certainly useful in its way, but not satisfying the needs of historical scholarship. Doubtless Señor García has felt, and rightly, that his undertaking to publish a selection of documents from one such important source as the archives of Marshal Bazaine, and to accompany French texts with Spanish translations, would be of great service to his countrymen. But his project then deserves only the qualified appreciation necessarily involved in the limitations of its scope. Students of French intervention in Mexico will be gratified to find that material previously accessible is now supplemented by additional letters and orders giving details of military movements and of political intercourse between the French and their Mexican puppets and sympathizers. To be sure, thus far nothing has been revealed to require any serious modification of judicious treatments of the subject given in the works of Gaulot and De la Gorce. And although it will now be more nearly possible than before to trace minutely the succession of events, the intrigues of Mexican partizan leaders, the influence of the clergy, the development of French policy in the face of insurmountable difficulties, there will still remain regrets that no inclusive compilation of all documentary material, nor yet a full publication of all of Bazaine's collection on the general subject has been made. The editor does not even state the principles upon which his selections have been made, does not characterize the categories which he has chosen to omit.

The preface of the second volume contains a profession of loyalty to correct principles of exact reproduction of the text of documents, without mutilation or emendation. "If any document herein appears incomplete or abridged, it is due to the fact that it exists in that form among the papers of Marshal Bazaine." Can this general assertion in a preface absolve the editor from the reasonable obligation to call



attention to or explain in notes the special peculiarities, the obvious errors and omissions in the text? In the second volume this editorial responsibility is sometimes recognized, although not consistently. Not infrequently (pp. 73, 148, 150, 154, 157, 166) mention is made of the fact that words or phrases are indecipherable. On page 21 a blank space in the original manuscript is noted. But there are no explanations of many other omissions and blank lines, as on pages 13, 14, 36, 67—are they thus in the originals? When places and dates appear in parentheses at the head of many letters, are these conjectured by the editor? When there are not a few errors of spelling, of accentuation, or of grammar and sense, in the French text, how far are these to be set down to the writers' blunders or to inefficient proof-reading or other editorial deficiencies? These questions by the reviewer are not captions but are meant to call pointed attention to the serious need of more careful editorial methods in details. Similarly a better standard of indexing is needed—unless, indeed, a good index is simply postponed till the completion of this particular series. Scholars will await with interest the appearance of further installments of these documents, and they can not but wonder whether the serious charge against M. Paul Gaulot, that "he has shamefully falsified various documents", will be fully substantiated.

C. A. DUNIWAY.

*Le Père Antoine Lavalette à la Martinique d'après beaucoup de Documents Inédits.* Par le P. CAMILLE DE ROCHEMONTEIX, de la Compagnie de Jésus. (Paris: Picard et Fils. 1907. Pp. viii, 290.)

It is somewhat strange that we have had to wait so long for a biography of Père Lavalette, since he is, as the author maintains, a person of historical significance. Hitherto, he has remained little more than a name by which to designate the famous case of Père Lavalette before the Parlement de Paris in 1761, a case which was but the first step in the determined effort to overthrow the Jesuits in France. By extensive use of unpublished material in the archives of the order, the author has clothed this name with a personality, and has retold the story of the trial with many interesting details. Although the study partakes of the nature of a defense of his order, Père de Rochemonteix has shown in presenting his case the spirit of a true historian. It is, indeed, not too much to say that for the student of the period this presentation of the famous case will supersede all others.

The author is in accord with the famous historian of the Jesuits, Créteau-Joly, in his general conclusions. These are: that because of the principle in civil law of "non-solidarity" accorded to religious communities of the same order, the Society of Jesus as a united order was in no way legally responsible for the debts of the mission at Martinique; that the superior officers of the society were not morally



responsible for the conduct of Père Lavalette in violating the constitution of his order by engaging in commerce against their specific instructions and without their knowledge, a fact to which Lavalette himself testified in a signed statement; and that Parlement treated this case as an opportunity, not of rendering justice, but of destroying the Society of Jesus in France. It is remarkable, in fact, how little the author has been able to add by way of general conclusion to the account published by Créteineau-Joly in 1845. He has, however, stated the conclusions with greater clearness, and has added some details which strengthen them. He has, for instance, shown from an unpublished report made to the general of the order by Père de la Marche, who was sent to Martinique to investigate the affairs of Lavalette, that Lavalette so far persisted in concealing his commercial dealings from his superiors that he deliberately lied, until de la Marche convinced him by evidence already collected that he knew the truth. He has given an account, omitted by such a recent historian as Glasson (*Le Parlement de Paris*, II. 265-270), of the first preliminary trial of Mme. Grou *et fils* before the consular court at Paris. He maintains that it was not until after Lavalette's return to Martinique from France in 1755 that he engaged in illicit commerce. The author lays great stress upon commerce permitted and commerce prohibited by canon law—only the purchase of commodities with a view to selling them at a profit constituting commerce of the latter type. It is on this basis that he takes exception to the general charge made against the order by M. Glasson of engaging in "opérations commerciales". One may admit that those commercial dealings of Lavalette undertaken with the approval of his superiors were technically within the letter of the canon law and did not constitute prohibited commerce from this point of view, but when one considers that Lavalette had, with the knowledge of his superiors, so far extended the holdings of his mission as to purchase a large estate in Dominica with no other view than to produce by slave labor valuable colonial products which he marketed extensively in France, one feels that M. Glasson's phrase is in spirit a true description of affairs.

As has already been intimated, the author makes use of much unpublished material in the archives of the society, the most valuable of which are the "Mémoires pour les Jésuites de France", a MS. of 116 pages written in 1760 by Père Antoine de Montigny; "Mémoire sur le Père Lavalette"; and "Mémoire Justificatif", written in 1763 from Amsterdam by Lavalette himself. The fact that the account has been written from such material as this gives a freshness to the whole monograph which places it in striking contrast to the average inaccurate secondary accounts of Lavalette and the case.

The book will also be of interest to students of commercial affairs in the West Indies of the eighteenth century by virtue of its concrete picture of a daring and energetic trader, and of his methods of trade in time of peace and war.

STEWART L. MIMS.

## MINOR NOTICES

The *Annual Report of the American Historical Association for 1906* (Government Printing Office, 1908, two volumes, pp. 454; 572) has just been issued from the press. It contains, according to usual custom, reports of the proceedings of the Providence meeting in December, 1906, of the proceedings of the meeting of the Pacific Coast Branch in the month preceding, and full reports of three conferences: one on the teaching of history in elementary schools, one on history in the college curriculum, and one on the work of state and local historical societies. It also contains seven of the papers read at Providence: that of Professor Munro on "The Renaissance of the Twelfth Century", that of Mr. H. O. Taylor on Hildebert of Lavardin, that of Miss Kingsbury comparing the Virginia Company with other English trading companies, that of Mr. George L. Beer on the colonial policy of Great Britain, that of Professor Channing on William Penn, that of Professor Hodder on the English Bill for the admission of Kansas, and that of Professor Woodburn on the attitude of Thaddeus Stevens toward the conduct of the Civil War. Rather more than the second half of this volume is composed of the Justin Winsor prize essay by Miss Annie H. Abel of the Woman's College of Baltimore, entitled "A History of Events resulting in Indian Consolidation West of the Mississippi". It is a paper marked by the fullest and most patient research, abounding in detailed information and written with every effort to be fair, but not with much literary skill nor with great insight into the political conduct of men. The second volume is devoted entirely to material furnished by the Public Archives Commission. Along with its annual report the Commission presents a summary of state and territorial legislation now in force relative to the custody and supervision of the public records, prepared by the late Robert T. Swan, record commissioner of Massachusetts. Next follow reports on the public archives of Arkansas, Connecticut, Delaware, Florida, Augusta, Ga., Richmond County, Ga., Ohio (state), Ross County, O., and Tennessee. Nearly half of the states have now been reported upon. The second half of the volume, and rather more, is occupied by a collection of Materials for a Bibliography of the Public Archives of the Thirteen Original States, covering the colonial period and the years extending to 1789, and prepared by Miss Adelaide R. Hasse, chief of the Department of Public Documents in the New York Public Library. The title requires explanation. The average reader, we are convinced, would understand by "bibliography of the public archives" a list of printed books and articles on the states' present official deposits of manuscript record material. What Miss Hasse presents is a list, in chronological order under each state, of those printed volumes or pieces in which may be found the official records of its executive, legislative and judicial proceedings throughout the colonial period and to 1789, whether the originals of those records are or are not in the

state's custody. But whatever the title, we have here 300 pages of invaluable data. It is strange that men have essayed to write the constitutional and political history of our colonies without such dated lists of sessional acts, journals of legislative sessions, etc.; but now they have one. It is by no means perfect. In several instances it ignores peculiarities and distinctions of legislative bodies of which the investigator needs to be made aware. It is startling to see it stated, as a reason for introducing three pages of data from the colonial entry books, relating to the councils of Dudley and Andros, that only three days' minutes of that body seem to have been printed, when the whole body—125 pages—was printed eight years ago in the proceedings of two prominent societies. But we must be too grateful to Miss Hasse to cavil at the occasional imperfections of her ambitious undertaking.

*Die Entwicklung des ältesten japanischen Seelenlebens.* Von Justus Leo. [Beiträge zur Kultur- und Universalgeschichte herausgegeben von Karl Lamprecht. Zweites Heft.] (Leipzig, R. Voigtländer, 1907, pp. vii, 106.) The author essays to study, by means of such meagre portion of their literary works as has been translated into European languages, the development of the mental life of the Japanese from the earliest times to the eighth century. Even within the narrow limits of his information, he states that he has examined only the contents and the "inner form" of his materials, and is not concerned with their philological aspects.

The author argues that before the influence of Continental thought was felt in Japan, its mind was wont to express itself in a very primitive manner, its thought-life being limited to cruder forms of analogy and comparison, and its attention being drawn to familiar natural phenomena and forces and unconnected doings of man. In the poems of the Manyōshū compiled in the latter half of the eighth century, however—or, rather, in that part of the work which has been translated—the author finds that a conscious imitation of Chinese models had greatly enlarged the scope and stimulated the development of the mental activity of the Japanese. Aesthetic enjoyment of natural phenomena, landscape, human conduct, and even emotional life, is for the first time apparent. Buddhism has also given a tone to the world-views of the educated.

Chinese influence upon the Japanese mind might have been conclusively proven, if the author had, on the one hand, compared the contents of the Wēn-sūan, the T'ang poems, and the Kwai-fū-sō, and, on the other, examined the career and the literary habit of each of the more important Manyō poets. What is most to be regretted is the fact that the author has not made an analytical study of the Norito prayers. The consideration of these prayers would have greatly enriched, as well as modified, the author's treatment of the period before the seventh century, and gone far toward explaining the origin of the new turn

which Hitomaro and later Manyō poets took in their metric compositions.

Herr Leo's work may be regarded as purely psychological, for its contents are too meagre, and its reasoning follows a certain method too closely, to be considered sociological or historical. It is, however, an honest effort, and a valuable interpretation of the material upon which it is based.

K. ASAKAWA.

*Les Noms de nos Rivières: Leur Origine, leur Signification.* Par Raoul de Félice, Agrégé d'Histoire et de Géographie, Docteur ès Lettres, Professeur au Lycée de Chartres. (Paris, Honoré Champion, 1907, pp. 166.) This is a production of very slight value. M. de Félice, in his preface, somewhat disarms criticism by modestly disclaiming any special competence in linguistics; but such competence would appear to be rather necessary for an investigation which deals almost wholly with etymologies, and the lack of it in the present case is much to be regretted. The sources of the material are fully acknowledged, and the work is put forth frankly as a second-hand compilation. But as such it shows neither a full knowledge of the "literature" of the subject nor any critical ability. It is marred, furthermore, by inaccuracies of detail. It cannot be said to have contributed to the advancement of knowledge or to have set forth adequately the present state of information. At the same time, as a collection and tentative classification of the names of French rivers, hitherto not brought together, it will doubtless be of service to geographers and historians, and also make easier the work of later etymologists. For all these purposes its value would have been considerably increased if exact references had been supplied, except in obvious cases, to the documents in which are to be found the early forms and variant spellings of the names discussed.

*The Early History of India, from 600 B. C. to the Muhammadan Conquest, including the Invasion of Alexander the Great.* By Vincent A. Smith, M.A. (Oxford, Clarendon Press, 1908, pp. xii, 462. Second edition, revised and enlarged.) The merits of the first edition (1904) of this excellent work were recognized at the time in this REVIEW (XI. 121-123), so that it is at present necessary to notice only the principal new features of this edition.

The enlargement consists chiefly in the expansion of the last three chapters of the book dealing with the Mediaeval Kingdoms of the North, the Kingdoms of the Deccan, and the Kingdoms of the South, which contain forty-three of the seventy-two new pages. A new appendix, pp. 260-264, deals with the question of the hostages obtained by Kaniska in consequence of his conquests in Chinese Turkestan. These are no longer believed to have included a son of the Han emperor of

China, but to have been taken from the ruling family of some dependency of the Chinese Empire not far distant from Kāshgar. The date of Kaniska is the subject of a new and lengthy note, pp. 241-242, in which Mr. Smith holds to his previous opinion. The account of the Çaka immigration and of the Indo-Parthian princes has also been enlarged, pp. 215-217, Mr. Smith now recognizing two main lines of the Indo-Parthian kings. Finally, recent translations of Cāṇakya's *Arthaśāstra* have enabled Mr. Smith to give from contemporary Hindū sources interesting confirmations of the Greek accounts of Candragupta's empire.

The effects of the revision are evident throughout in slight modifications of opinions, the corrections of misprints, and the addition of bibliographical references, especially to works that have appeared since 1904. Naturally this revision is least in evidence in the chapters dealing with Alexander's campaign in India; here the only change of importance is the abandonment of the identification of Mahābān with Aornos, which was rendered necessary by Stein's exploration of the site in 1904.

That the second edition of such a work should be called for in so short a space of time is a proof of a popular interest in the subject that must be gratifying to every student of the records of India's life. That a pioneer work should require modification in no essential point is evidence of the skill with which the author has accomplished a difficult task; while the painstaking care for details and the additions that make the new edition a distinct improvement upon the old, deserve the gratitude of all students of the history of India.

G. M. BOLLING.

*La Vie en France au Moyen Âge, d'après quelques Moralistes du Temps.* Par Ch.-V. Langlois. (Paris, Hachette et Cie, 1908, pp. xix, 359.) Professor Langlois is known on both sides of the Atlantic for his exact and critical scholarship. His knowledge of the literary sources of the history of medieval France is equalled by few. Four years ago he presented certain of these sources, condensed to popular form in *La Société Française au XIII<sup>e</sup> Siècle d'après Dix Romans d'Aventure*. And now he has published a pendant in the present work. In both books, his description of the writings analyzed and excerpted is accurate and sufficient; and both books are practical exemplifications of the author's view, which he thus states: "Je suis de plus en plus persuadé que la meilleure méthode, pour communiquer au public les résultats vraiment assimilables de nos travaux, n'est pas d'écrire des livres d'histoire générale; c'est de présenter les documents eux-mêmes, purifiés des fautes matérielles qui s'y étaient glissées, allégés des superfluités qui les encombrant, en indiquant avec précision ce que l'on sait des circonstances où ils ont été rédigés et en les éclairant au besoin par des rapprochements appropriés."

Much may be said in favor of this manner of purveying history—it

is also easy for the writer. Yet it excludes the historian's function of interpretation, which Professor Langlois appears to regard as either useless or dangerous. Some of us indeed doubt whether the historian's function should be limited to the purveyorship of the sources, and even think it his business to explain a little "how it all came about". Professor Langlois closes his statement with these words: "Le vrai rôle de l'historien, c'est de mettre en contact, dans les meilleures conditions possibles, les gens de maintenant avec les documents originaux qui sont les traces laissées par les gens d'autrefois, sans y rien mêler de lui-même." He has certainly succeeded in putting very little of himself in the book before us.

The writings of contemporary *moralistes* which Professor Langlois gives after his method of extracts strung together by a running analysis of the intervening matter, are some of them well known: *Le Livre des Manières*, for example, of Étienne de Fougères (d. 1178); *La Bible Guiot*; *Le Besant de Dieu*; *Les Quatre Âges de l'Homme* of Philippe de Novare (1195-1265 c.), a prose composition less well-known; *Le Livre des Lamentations de Mahieu* (or *Lamenta*), written about 1301 by an advocate, a native of Boulogne; and the enigmatical and allegorical *Fauvel*—are among them. They present society from the point of view of the moralist, or satirist, with various shadings according to the special circumstances and opinions of the author. Professor Langlois gives a sufficient presentation of their contents. His book will be of value to the student of the period, provided he has some knowledge of Old French; for the extracts in this book are not modernized.

*Théodore II. Lascaris, Empereur de Nicée.* Par Jean B. Pappadopoulos, Docteur de la Faculté des Lettres de Paris. (Paris, Alphonse Picard et Fils, 1908, pp. xv, 192.) Like so many other Byzantine rulers Theodore Lascaris II. was an author of considerable repute. This has invested him with an interest entirely apart from his deeds as emperor, and the accounts of him in the past have dealt mainly with his writings. His career has generally been summed up to the effect that he was a degenerate, gifted with remarkable ability as a statesman and author. Gibbon, for example, gave only a little over a page to Theodore. After stating that he was degenerate but not devoid of energy, most of the space was filled with two anecdotes to illustrate his unbridled temper and cruelty. There are several errors, some of which Bury has overlooked in his edition of Gibbon. This illustrates the need of some more accurate study.

The present work is a well-proportioned narrative of his life, deeds and writings. The first third describes his education and character before his accession to the throne in 1254, at the age of thirty-two. The second part recounts the events of his reign of less than four years. The third section, concerning him as an author, is brief and is

the least important. This is due in part, however, to the fact that his writings have been drawn upon so constantly in the preceding portions.

The author has a much more favorable opinion of his hero than that which is generally held. He would subscribe to Cave's judgment: *Princeps omnino eruditus, meliore sorte sacculoque dignus*. In addition to his ability as a writer, Pappadopoulos points out Theodore's wise economy, skilful diplomacy, successful administration and victorious campaigns. "Roi philosophe, avec la rare vertu d'avoir pleine conscience de ses devoirs sacrés, il rêva le bonheur de son peuple et y travailla pendant la courte période de sa vie et de son règne avec un dévouement, une abnégation et une ardeur dignes d'admiration" (p. 138). He does not disguise the emperor's ungovernable temper or cruelty, but attributes the first to his diseased state and suggests that the other was justifiable. This and the passage just quoted illustrate the one serious defect in the work—the author is inclined to be a panegyrist.

The volume contains a bibliography of the printed and unprinted works of Theodore, and of the sources and secondary works for his life. The account itself is clear and interesting; there are very few errors or repetitions. In the appendix is published for the first time the funeral oration on Frederick II., which is, as Bury said, "a work which ought to have been published long ago". It is to be regretted that the author did not bring out the many points of resemblance between Frederick II. and Theodore II. In the future the latter will undoubtedly be judged more favorably and more justly as the result of Pappadopoulos's labor.

DANA CARLETON MUNRO.

*Études de Diplomatie Anglaise de l'Avènement d'Edouard I<sup>er</sup> à celui de Henri VII. (1272-1485): Le Sceau Privé, le Sceau Secret, le Signet.* Par Eugène Déprez, Docteur ès Lettres, Archiviste du Pas-de-Calais. (Paris, Honoré Champion, 1908, pp. 127.) The science of Diplomatics in England still lags far behind the progress of such studies on the Continent, and the requisite monographic investigation is lacking in almost every field relating to the documents of English sovereigns. M. Déprez, known as the author of important volumes on Anglo-French relations in the period of the Hundred Years' War, has brought the training of the *École des Chartes* to bear upon the extensive privy seal files in the Public Record Office, which he has had occasion to explore systematically for material concerning the history of France from 1272 to 1485. By the aid of typical examples he shows the relation of the privy seal and secret letters to the issuance of letters patent and letters close, and examines the characteristics of the different types to be found in this period. Contrary to a common opinion, he shows that English came into use in royal letters, by the side of Latin and French, as early as the reign of Henry V. The study is professedly



only a sketch, but it is work of the right kind and deserves to be continued. Ninety-one unpublished documents are printed in the course of the essay.

C. H. H.

*The Growth of Modern Nations. A History of the Particularist Form of Society.* Translated from the French of Henry de Tourville by M. G. Loch. (New York, Longmans, Green and Company, 1907, pp. viii, 508.) The author of this panegyric of the Anglo-Saxon race was a disciple of Le Play, and a leader of the group of sociologists of whom Edmond Demolin achieved the widest reputation. The main theme of the book is the history of the particularist form of society, that is, an individualistic society, whose members are distinguished by their personal freedom and initiative and whose characteristic material basis is the independent and isolated landed estate. Opposed to this is the patriarchal, communal, or socialistic form of society, characterized by the subordination of the individual.

It is argued that the particularist form of society originated in Norway, where geographical conditions favored its development; that emigrants from Norway to the Saxon plain of the Weser and the Ems introduced it into the interior of the Continent, whence the emigrations and conquests of Franks and Saxons carried it over large portions of Europe, and that from England, where it thrived best, it spread to America and Australia. In England the particularist tendencies of the Saxons were ultimately victorious over the patriarchal tendencies of Angles, Danes and Normans; and the landed gentry finally gained control of the government. France, on the other hand, lost her particularist stamp through the early development of urban institutions; the growth of a strong royal power and an all-pervasive central administration; the appointment of townsmen as functionaries of the state; and the abandoning of agriculture to the peasantry. The book is a mass of generalizations, of which many are based on hypotheses rather than upon ascertained facts, while few, if any, are supported by sufficient evidence. The author attributes the persistence or the disappearance of individualism, now to race, now to geographical environment, and now to the influence of social and political institutions, with no apparent realization of the difficulty of determining with security the quantitative psychological effect of these various forces upon a given people at a given time. The book may be of some value in suggesting new points of view; but the method is so superficial that the conclusions carry slight weight. It would be impossible in a limited space to criticize the work in detail, but it may be remarked that the social organization of the Angles probably did not differ from that of the Saxons in the manner described (p. 239 ff.); that the so-called "laws of King Edward" and Magna Charta did not have the significance here assigned to them (pp. 273, 274, 285) and that the Saxon, whose rural organization had important communal features,



and in whose social organization lordship played a most important part, was much less of an individualist than is here supposed.

*The Letters of Martin Luther.* Selected and translated by Margaret A. Currie. (London, 1908, The Macmillan Company, pp. xxxv, 482.) This volume consists of five hundred of Luther's letters, selected out of about twenty-five hundred extant, and translated into English, together with a short introduction on the value of the letters and some of the people to whom they were addressed. The translator has added brief headings to each epistle, taken mainly from De Wette, and a summary of important events at the beginning of most of the years.

It is superfluous to point out the great charm which such a book as this might possess, and its value for both the ordinary reader and the student of the Protestant revolt. It is a pity that the worth of so good a selection as has been made by the present translator should be largely impaired by her unscientific method and imperfect acquaintance with the subject, as well as by numerous errors in form and rendering.

Ender's edition of the letters, the best and latest, should have been used as far as it is complete (to August 1538), and thereby several blunders would have been avoided. The next best edition is that of De Wette, but the translator's statement (p. xix) that this has been the text-book throughout is hardly justified by reference to the text, where many letters are assigned to Walch and other German versions (from the Latin), one at least having been taken from a previous English translation (no. CCLXII.).

Mistakes and inconsistencies in giving English equivalents of German names abound. We have compared several letters taken at random with the original and found the translation in all of them extremely inaccurate, mistakes due partly to carelessness, partly to ignorance of the meaning of Latin and German words. In one case (p. 221), the German word *Messe* is inserted in parentheses to explain the English, where in the original we find *Jahrmarkt*. Some letters are greatly compressed without any indication that anything has been omitted (e. g., no. CCX.).

The translator is much at sea when any allusion to contemporary events or persons occurs. She does not know that the "Cardinal St. Giorgio" is Petrucci (p. 54), nor that the "Cardinal of Eborack" [*sic*] referred to in the famous letter to Henry VIII. (p. 332) is Wolsey, Cardinal Archbishop of York, nor that "Antonius" (p. 332) is Robert Barnes, nor that the Bishop of Hereford (p. 359) is Edward Fox. Ulrich Pindar (p. 16) is not, as she thinks, the famous physician, and Luther's "enemy Calculus" (p. 359) is not a person, as one would infer from her text. The much discussed General Council appears now as the "Diet" (p. 332), now as the "Congress" (p. 340).

PRESERVED SMITH.

*George Buchanan: a Memorial, 1506-1906.* Compiled and edited by D. A. Millar (on behalf of the Executive of the Students' Representative Council of St. Andrews University). (London, David Nutt; St. Andrews, W. C. Henderson and Son, 1907, pp. xix, 490.) This book is a fine example of its kind. It is fitted to honor the memory of Buchanan for those who know him, and to recall him to those who may have forgotten that his friends called him the leading poet of the age. Twenty-four short essays make up the first part of the volume. They present Buchanan as a student, as a controversialist, as a courtier, as a philosopher, a poet, a humanist, a Latin scholar, a historian and a wit. We are told about his life in France and in Portugal. Five essays describe the separate classes of his writings. Other essays discuss his influence upon the Continent and his influence upon the thought of his age. There is a note upon his pension; and accounts of his family tree, his portraits and his monuments. We are shown every phase of the life of his times touched by this Scotch Presbyterian who was so filled with the spirit of humanism that he turned the psalms of David into Horatian odes.

The editor calls this book "an appreciation of work done and a record of praise for that work". But he wished to make something more than a record and a eulogy. He intended to give Scotchmen "an insight not merely into Buchanan's life and habits but into the times in which he lived and the part he played in the light of Scottish history and European thought". The writers of the volume have done all that was possible to carry out this broad view of its function.

To mention particular essays, where all are so good in their several sorts, is merely to voice a personal preference. The writer enjoyed Professor Herkless's finely written paper on Buchanan and the Franciscans. But then he enjoyed many others. Mr. Smeaton's paper on Buchanan's Influence on his Contemporaries is an admirable example of condensation without obscurity. Buchanan in Portugal seems the most valuable of several excellent papers whose writers have investigated obscure episodes in Buchanan's life and extended our knowledge of facts.

The book is rather difficult to read through continuously from cover to cover. But that is not the fault of any one concerned in producing it. All books of this kind are difficult to read unless they are taken a little at a time, and, taken that way, this particular book gives great pleasure. If some one of the writers had used the new and old material contained in these separate essays to produce a portrait of Buchanan in miniature, the scattered impressions of the reader might have been focussed. But this is only saying that the editor and his collaborators have done their work so well that one wishes they had done a little more.

The illustrations, facsimiles of documents, contemporary portraits of Buchanan, memorials to him, and pictures of places connected with his life and fortunes, are interesting.

Translations of Buchanan's verses, many of them by students of St. Andrews, form a fitting second part to the volume, which is furnished with nine appendixes. One of them contains an account of the Quater-Centenary Buchanan Celebration held at St. Andrews, July, 1906.

For the success of their pious intention to create another memorial to one of the greatest of the alumni of their Alma Mater, the Students' Representative Council of St. Andrews University is to be heartily congratulated.

PAUL VAN DYKE.

*Die Unionstätigkeit John Duries unter dem Protektorat Cromwells.* Ein Beitrag zur Kirchengeschichte des siebzehnten Jahrhunderts. Von Lic. Karl Brauer, Pfarrer zu Gräfen. (Marburg, N. G. Elwert, 1907, pp. x, 253.) The task set for himself by the author of this excellent monograph is to give an account of four out of the fifty years of John Durie's activity in the cause of union between the evangelical churches: those years when the support of Cromwell gave his plans some apparent promise of success, and which are most important for the formation of an estimate of his work.

The book is divided into two very unequal parts. The first and more considerable contains, after a brief account of his early years, the narrative of Durie's travels in Switzerland, Germany and the Netherlands, from 1654 through 1657; his countless negotiations with synods, legislatures, theological faculties, preachers and princes; and his undaunted courage in the face of almost constant difficulties and disappointments. This, the most important portion of the work, is a monument of industrious research. The author has ransacked the archives and libraries of the cities and states visited by Durie, as well as the manuscript collections of the British Museum, and has thus been able to give an account of the activities of the indefatigable champion of union, week by week and almost day by day. If close adherence to chronological order has sometimes resulted in a lack of clearness, especially in the chapters relating to the German states, this was perhaps inevitable in view of the number and complicated character of the transactions involved.

The thirty pages of the second part are devoted to a consideration of Durie's plans and aims. It contains careful analyses and useful citations, and though the conclusions of the author are not invariably logical nor his arguments always convincing, he characterizes justly the impracticable elements in Durie's schemes, and rightly insists that in the emphasis he placed on practical as opposed to dogmatic Christianity, lies the importance of his career in the development of religious thought. Although obviously his contact with Durie has not left him untouched by the Scotchman's personal charm, he maintains a scrupulously just attitude with regard to his failings: erring, if at all, on the side of severity. It is perhaps through fear of letting his sympathies get the better of his judgment that he seems to have failed to arrive

at a clear comprehension of Durie's character. Or is it rather that he has studied his man at too close range, and so has failed to grasp him as a whole?

Eight of the more important documents cited are included in an appendix. The more important published works relating to Durie are enumerated in a foot-note to page one, and a list of the manuscript sources used is given in the preface. This list does not include the letters of Durie among the Baxter Correspondence in the Dr. Williams's Library, London; though only a few of these were written during the Protectorate, a number are important for his ideas, and one of them (VI., f. 90) should be added to the authorities for his visit to Sweden in 1653 (p. 13, note).

LOUISE FARGO BROWN.

*Mirabeau, the Demi-God*, being the True and Romantic Story of his Life and Adventures. By W. R. H. Trowbridge. (New York, Charles Scribner's Sons, 1907, pp. xi, 404.) The change of a single word in the subtitle of this work, namely the substitution of "Fictitious" for "Romantic", would convey to the reader a clearer idea of its contents. Surely Mr. Trowbridge was not naïve enough to believe that the student of history would take his book seriously, would accept as biography what is simply a weak historical novel. If the book made no pretense of being anything else than a historical novel, the REVIEW might well pass it by unnoticed, but unfortunately the attempt is made to deceive the unwary reader by a parade of learning, or do I wrong Mr. Trowbridge? Did he really think that he could "satisfy the curiosity of those who may be inclined to question the accuracy of details that seem doubtful" by "appending a bibliography of the works from which he had drawn his material"? Did he "refrain from adding the notes, with which it is so easy to adorn a work of this kind", "simply to avoid the charge of striving after the *éclat* of historical research"? It may be so, for there is an overwhelming amount of evidence that throughout the book he was guided by his "instinct as a novelist" and not by his instinct as a historian. Possibly this same inability to distinguish between the creations of his own fancy and historical fact was responsible for the statement, "in defence of the dialogue, that it is seldom imaginary; when not the words actually uttered by the speakers as historically recorded, it has been composed from their correspondence. For example", he goes on, "in Chapter I., Part I., pages 22 to 35, the dialogue has been taken almost verbatim from the letters of the Marquis de Mirabeau." The truth is that it is very seldom that one encounters in the dialogue anything taken verbatim from the letters of the marquis. In the passage cited there is more such material than on any other page of the book. Piecing together a dialogue from "words actually uttered by the speakers as historically recorded" was evidently too slow work for Mr. Trowbridge and he soon abandoned it.

The book is not, then, a serious biography, nor is it a good historical novel. There is certainly good stuff in Mirabeau's life for a historical novel, but just as certainly Mr. Trowbridge has not been able to utilize it.

He calls Mirabeau a "demi-god", proclaims him his "hero" and announces that he "preferred to see in him only his nobler and what he belived to be his fundamental qualities", but one seeks in vain in his book for proof that Mirabeau was such a man as Mr. Trowbridge would have us believe. Mirabeau was a remarkable man and possessed noble qualities, but the greatness of Mirabeau is displayed during the last period of his life and not in his love affairs and low intrigues. To justify his title, Mr. Trowbridge should have passed lightly over Mirabeau's early years and filled his canvas with the dramatic scenes of the national assembly in which Mirabeau showed himself truly great. In giving but seventy pages to this important period, he had little opportunity to justify his title and made but poor use of what opportunity he did have. Such a book as Mr. Trowbridge has written is an anachronism. He would do well to stick to his last. That last is, evidently, a novel.

*L'Institut de France.* Par Gaston Boissier, Gaston Darboux, Georges Perrot, Georges Picot, Henry Roujon, Secrétaires Perpétuels, et Alfred Franklin, Administrateur Honoraire de la Bibliothèque Mazarine. (Paris, H. Laurens, 1907, two volumes in one, pp. 203, 168.) This recent addition to the popular series *Les Grandes Institutions de France* consists of seven chapters admirably illustrated. The first, by M. Alfred Franklin, describes the buildings in which the Institute abides; the second by M. Georges Perrot, Perpetual Secretary of the Académie des Inscriptions et Belles Lettres, recounts the history of the Institute; the remaining five deal with the five academies which now compose it—the Académie Française, the Académie des Inscriptions et Belles Lettres, the Académie des Sciences, the Académie des Beaux Arts, and the Académie des Sciences Morales et Politiques—each of which is treated by its perpetual secretary. The work is thoroughly popular; it is a noteworthy example of what the French call *vulgarisation* of statement in agreeably intelligible terms of matters thoroughly familiar only to masters of detail. While it makes no pretensions, however, to the exhaustive authority found only in books of formal reference, it conveys a remarkable amount of information in a manner so sympathetic as in itself to be instructive.

For one cannot read these pleasant pages without catching the spirit of them—the spirit of men who have been happily familiar with their peculiarly French subjects throughout their mature lives. The seriousness of French scholarship, as well as its amenity, is implied throughout. So is the instinctive aptitude for formal organization which has long made the academic life of France so normal, so vigorous, so productive, so stimulating.

Historically, the while, this book has an interest perhaps not quite apprehended by its writers. It sets forth with animated precision the manner in which the elder academies were established in the "great century" of Louis XIV.; and how the Revolution suppressed them, one and all. It tells how the Institute was established to replace them by the Convention, in 1795. It describes how, with certain modifications, the old academies revived as sections of the Institute, how they thus persisted throughout the Empire, and how at last, under the Restoration, their traditional names were restored to them. Yet it loyally insists on the persistent vigor of that Revolutionary foundation, the Institute, which firmly and happily unites and embraces them all. Thus, beyond almost any other book on which one could instantly lay hand, it implies at once the love of system and the love of tradition combined in the characteristic temper of France. It implies, too, both the strength and the futility of Revolutionary polity. This could prune, and could innovate, with splendidly humane enthusiasm; it could not eradicate. The Institute is now itself a tradition, not supplanting, but strengthening, the elder traditions with which its career has become intertwined. It is only through some wider recognition, such as this signally happy one, that all the French past has its glories, that the France of the future can rise to its full power and dignity.

BARRETT WENDELL

*Anecdotes Historiques par le Baron Honoré Duveyrier.* Publiés pour la Société d'Histoire Contemporaine par Maurice Tourneux. (Paris, Alphonse Picard et Fils, 1907, pp. xxvii, 358.) The Société d'Histoire Contemporaine deserves but little praise for the publication of this volume, which undoubtedly has less to commend it to serious attention than any other for which the society has stood sponsor.

While, no doubt, a competent lawyer who filled with credit several offices for which his legal training may be presumed to have fitted him, Duveyrier never held any office of real importance and was never a participant in important historical events. With two or three exceptions he had no especial opportunities for witnessing important events or securing evidence concerning them. As a commissioner to investigate the mutiny at Nancy, as a special emissary to Condé, and as a member of the Tribunal throughout its existence, Duveyrier had his best opportunities to witness affairs concerning which the historical student and the memoir-reader would gladly hear more, but of these, save a brief interview with Bonaparte, not a word does the worthy octogenarian record. Duveyrier fell in the limbo between the emigrating or guillotined aristocrats and the Revolutionary reformers and terrorists; but, if credence is to be given to his *Anecdotes* written under Louis Philippe, and printed in 1837 in one hundred copies, he might be considered an Orleanist. A clear, competent, well-informed explanation of the career of Égalité would be invaluable, but the attempt to defend him against

the accusations of complicity in the events of October 5 and 6 has little merit except as the rambling recollections of events forty years in the past, written by an old man who had received a retainer from the duke himself and who was anxious to win the favor of the duke's son for his own sons.

From page 167 it appears that Duveyrier's personal papers were destroyed during the Terror, and from page 2 that he was without his later papers when writing. On page 2 and elsewhere he prides himself upon the clearness and correctness of his memory. In spite of this the suspicions of the reader are aroused and investigation reveals discrepancies of a curious and even serious sort. The result is that the whole narrative is so subject to suspicion that an historian can give it no weight except as confirmatory evidence.

The two longest articles are the one already mentioned on the Duke of Orleans, and another on the "Biens Nationaux Romains", in connection with which he was employed by the Directory. The best reading is in the briefer anecdotes of Dumouriez and Fouché. The introduction by M. Tourneux is good as far as it goes, but it should have included a full biographical account of the self-complacent and garrulous old baron.

GEORGE M. DUTCHER.

*Correspondance du Duc d'Enghien (1801-1804) et Documents sur son Enlèvement et sa Mort.* Publiés pour la Société d'Histoire Contemporaine par le Comte Boulay de la Meurthe. Tome II. *Découverte du Complot: La Sentence de Vincennes.* (Paris, Picard et Fils, 1908, pp. 469.) The Société d'Histoire Contemporaine and Count Boulay de la Meurthe deserve hearty praise for the successful completion, after the lapse of four years, of the work of collecting and publishing all the documents which can throw light upon the fate of the Duke of Enghien. The first volume, published in 1904 (reviewed in the AMERICAN HISTORICAL REVIEW, X. 423), contained the correspondence of the Condés and Bourbons relating to the duke and to plots, such as that of Cadoudal, against the First Consul. These documents showed clearly the nature of the schemes, the responsibility of the Count of Artois as their patron or promoter, and not only the innocence of Enghien, but even his outspoken disapproval of political assassination.

The present volume contains more than 150 documents relating directly to the fatal event of March, 1804, from which month most of them date. Instead of following the exact chronological order, the editor has wisely arranged the documents, according to their character, in four chapters. The first is perhaps the most interesting portion of the two volumes, for successive documents reveal, almost day by day, the work of the secret police of the Consulate, and show how, bit by bit, it ferreted out the royalist, military, and republican plots, and the conspiracy of Cadoudal, and ultimately brought the Duke of Enghien under its surveillance. The workings of Bonaparte's mind are exposed and the selection



of his victim becomes explicable. The second chapter follows the events of the arrest, and the third, of the trial and execution. They add little new information, but for the first time place all the documents before the reader. The final chapter gives the aftermath of the tragedy, including the diplomatic correspondence, especially the reports of the various ambassadors at Paris to their respective sovereigns.

The collection and arrangement of the documents has been done with the greatest diligence and discretion. The citations for the documents, whether from manuscript or from printed sources, is frequently inadequate for the guidance of the student. The annotation is generally complete and satisfactory. A thorough index would have doubled the usefulness of the work. It was perhaps excusable to let the excellent introduction of the first volume stand for both, but a comprehensive narrative summary of the immediate circumstances of the tragedy, written with the editor's complete mastery of the materials, would be a welcome addition to this volume.

GEORGE M. DUTCHER.

*Geschiedenis van het Nederlandsche Volk.* Achtste Deel. Door P. J. Blok. (Leiden, A. W. Sijthoff, 1908, pp. 334.) The professor of the Fatherland's history at the University of Leyden has placed the readers of his previous seven volumes under obligations of thankfulness for this final work of rapid review of events and movements from about 1835 until the opening of the twentieth century. This extra issue is in bulk about half the size of each of the others and is in the nature of an *Anhängsel*, though a valuable summary of Dutch affairs, almost to date. Indeed one wonders at the courage of the former preceptor in the royal household in even mentioning certain themes, which millions of Hollanders look upon not as dead facts, but as still burning questions. We are bound to say that Dr. Blok, being a disciplined historiographer, has passed the ordeal of the hot plowshares safely. It would be difficult to find out from the text, when he is picturing affairs in the cockpit of partizan politics, or sketching Kuyper and Schaepman and the "Liberaal" leaders, to what stripe or color of party the historian himself belongs; and this, in a land where, in spite of so much modern legislation, sectarian religion and active politics are so interblended.

The volume opens in the middle of book XIII. and completes book XIV. The historian depicts widely the last days of the unpopular King William's reign and passes in rapid review the initial years of William II., the wise and conciliatory king. One cannot but note a parallel with the succession of Frederick Henry to Maurice, in the days of the Republic. William III., an able and brilliant ruler, long outlived his usefulness, saving his own reputation and conferring a vast benefit on the Fatherland when he took for his second wife the German princess Emma of Waldeck-Pyrmont. However, the outstanding figure on



Blok's final pages is not royal but popular, one of the people's own brothers, Thorbecke. His statesmanship completed the work of Hogendorp, who had made a kingdom in name fulfil the hopes of the federalism that for two centuries passed for a republic; but Thorbecke prepared the Netherlands to resist the disintegrating effects of the revolutionary wave of 1848; and this he did by both strengthening popular freedom and safeguarding the throne, later guiding the nation with consummate statesmanship for a quarter of a century. Modern economics and the affairs of the East Indian colonies are set forth with some fullness, but the relations of the Netherlands to the Franco-Prussian and South African wars are merely glanced at. Exceedingly valuable, in its terse, graphic array—often making an elect word do the work of many sentences—is Blok's survey of literature, art, customs, fashions and economics, which makes this an outline "history of our own times" in Nederland. Index, notes on sources, references to authorities and map are up to the preceding high standard. In a word, this volume is less valuable as a history than as an accurate and illuminating handbook of references. It will answer many questions.

WILLIAM ELLIOT GRIFFIS.

*Frederic William Maitland: Two Lectures and a Bibliography.* By A. L. Smith, Balliol College, Oxford. (Oxford, The Clarendon Press, 1908, pp. 71.) These lectures, by an Oxford don of the highest reputation as a teacher of history, are thoughtful discussions of Professor Maitland's historical method, of his conception of history, and of the quality of his work. In the first lecture the clue to Maitland's greatness is found in his spiritual conception of history, which may be regarded as a religious conception, although he called himself a dissenter from all the churches, and in his broad and profound human sympathy, with which his imagination, insight and humor are closely allied. In the second lecture, Maitland is considered as a "converted lawyer", come back to the historical fold, whose legal training gave him an interest in the history of ideas and a practical, as opposed to a purely academic, point of view. "We now study history in order that yesterday may not paralyse to-day and to-day may not paralyse to-morrow." Indeed, as Mr. Smith points out, in Maitland's most important work, that relating to the ideas of corporateness and community, the historian's vision became, as may be believed, prophetic of the future organization of society.

In so brief a study of so great a man, much that should be said has not been touched upon. This the author of these excellent lectures would be the first to admit; and it is to be hoped that he, or another, will devote a book many times the size of this to so worthy a theme. To such a work, a necessary preliminary has been performed in the long bibliography of writings by and upon Maitland, and of reviews of his works, which is included in this volume.

*Die Entwicklung der altchinesischen Ornamentik*, von Werner von Hoerschelmann. [Beiträge zur Kultur- und Universalgeschichte herausgegeben von Karl Lamprecht, IV.] (Leipzig, Voigtländer, 1907, pp. 48; with 32 tables.) From real objects and from the numerous illustrations contained in a few standard Chinese books, the author finds that the geometric patterns and the ornamental designs of animals which are common in metal works of the Shang dynasty (1766-1122 B. C.) become freer and more varied in those of the Chow dynasty (1122-221 B. C.); and that under the Han (202 B. C.-220 A. D.), especially after Wu Ti's expeditions and the introduction of Buddhism, animals and plants, and even man, are represented in far richer variety and with marvelously greater freedom and truth to nature. Here the influence of Indian, western Asiatic and Hellenistic designs is considered unmistakable. Chinese art has received a new impetus, and is passing from the stage of mere ornamentation to that of free art, namely painting.

K. ASAKAWA.

*The Bibliographer's Manual of American History*, containing an Account of all State, Territory, Town and County Histories relating to the United States of North America, with Verbatim Copies of their Titles and useful Bibliographical Notes, together with the Prices at which they have been sold for the last forty years. Compiled by Thomas Lindsley Bradford, M.D. Edited and revised by Stan. V. Henkels. Volume II., F to L, nos. 1601-3103. (Philadelphia, Stan. V. Henkels and Company, 1907, pp. 349.) In books of reference of this sort, form and matter are usually so thoroughly fixed in the first volume that we are not to expect serious improvement in the second. Dr. Bradford's book shows from F to L the same faults which it showed from A to E. It is far from complete within the scope which the preface defines; and this could not fail to be the case when for the first twelve letters of the alphabet not 3000 titles are given. Of these titles there are in foreign languages almost none that do not contain misprints. In one title the reviewer noticed eight. The authorities for the annotations are almost always the statements of sale catalogues, all of which are taken as equally true, though in many cases they are inadequate and misleading. A few specimens may be given of the sorts of errors which recur. At number 1611 we have *Falcknern* for Falckner because the former (dative) appears on the title page; at number 1612 we have *Falndrau* instead of Flandrau, involving a great displacement; at number 2036a the "Gentleman of Elvas" is strangely declared to have been De Soto himself. At number 2212 we have J. A. Urlsperger, *De Praestantia Coloniae Georgico-Anglicanae* (1747), improperly entered under "Heckingio, Gottfrido" [*sic*], because the name of the latter worthy as presiding over the academic exercises occurs in capitals and in the ablative upon the title page, while Urlsperger's is less conspicuous. Yet the book of course contains, as was explained in our notice of the first volume, a great deal of useful matter.

*Narratives of Early Virginia, 1606-1625.* Edited by Lyon Gardiner Tyler, LL.D., President of the College of William and Mary. [Original Narratives of Early American History. Volume V.] (New York, Charles Scribner's Sons, 1907, pp. xv, 478.) This volume edited by Dr. Tyler deals with the London Company period of the Virginia settlement. The purpose of Dr. Jameson and of Dr. Tyler has been to include the most important original narratives of that period. Much has been selected from John Smith, in fact, in a volume containing 460 pages, 294 pages have been taken from Smith's *True Relation*, from the *Description of Virginia and Proceedings of the Colony*, and from his *General History* (the fourth book). The remaining 166 pages of the volume contain the *Observations of George Percy, 1607*; the *Relation of Lord Delaware, 1611*; a *Letter of Don Diego de Molina, 1613*, to the King of Spain urging the destruction of the colony and describing conditions in Virginia, and a *Letter of Father Pierre Biard, 1614*, to the head of the Society of Jesus at Rome relative to the English settlement in America; letters of John Rolfe, 1614, and John Pory, 1619; *Proceedings of the Virginia Assembly, 1619*; *Virginia's Answer to Captain Butler, 1623*; the *Relation of the Virginia Assembly, 1624*, and *Discourse of the Old Company, 1625*; of which narratives nearly all are contained in Neill's *Virginia Company of London*, Brown's *Genesis*, or other books easily accessible.

In reviewing this volume, it is necessary to consider the purpose of the editors, namely, to include the most important and interesting narratives. It is undoubtedly a fact that the most interesting narratives have been selected. Had the editors used the word "documents" instead of "narratives", we should, of course, have needed to add much or to make a different selection; and indeed the many-sided history of the colony of Virginia under the company has not been, and probably cannot be, adequately treated in a volume of selections.

Accepting *Narratives of Early Virginia* as it stands, too high praise cannot be given to the splendid editorial work which has been done. The general reader who likes John Smith's vivacious narratives has often longed for an annotated edition. Dr. Tyler has annotated every selection, whether from Smith or others, in such a scholarly way that the book will not only prove helpful to general readers, but also to investigators in the field of Virginia history. Take some instances of his annotating of Smith's *Description of Virginia*. Smith speaks of the "two rivers of Quiyoughecohanoche", which, from the notes, we find to be "Upper and Lower Chippokes Creeks in Prince George and Surry counties". "Youghtamund" is our Pamunky and "Mattapanient" is our Mattaponi. Hundreds of such other annotations could be given to illustrate the carefulness with which Dr. Tyler has located the Indian geographical names and Smith's geographical explorations. The volume will, therefore, be gratefully received by students and lovers of Virginia history.

*Our Colonial Curriculum, 1607-1776.* By Colyer Meriwether, Ph.D. (Washington, Capital Publishing Company, 1907, pp. 301.) Of the various important phases of our social history, which it is agreed ought to be more extensively cultivated, least attention has been given to educational history, although it is generally admitted that our national development has been profoundly influenced by our system of education.

The volume noted above is a study of one phase of this subject during the colonial period. The author states that his purpose is to indicate what the different subjects in the curriculum then implied in the entire course from infancy to graduation in college. The book has eight chapters headed as follows: Elementary Course, the General College Course, Ancient Languages, Theology and Philosophy, Geography History and Modern Language, Mathematics, Science, Disputation. The title is misleading. The author covers a wide field and gives excessive space to a consideration of the curriculum of schools and universities in England and other European countries during the sixteenth and seventeenth centuries. The portion of the book bearing strictly on the curriculum in the colonies is thus not as large as it should be. Moreover it is devoted rather to a discussion of the contents of text-books than to a clear account of the development of the colonial curriculum with illustrations of programmes of specific schools. The greater portion of the book has to do with collegiate subjects with the emphasis on conditions at Harvard. The curriculum at Princeton, King's College (Columbia), the University of Pennsylvania, and other colleges founded before the Revolution is not discussed.

The book is disappointing to the specialist in several particulars. It does not conform to the technical requirements of scholarship. The lack of references for certain important statements, the neglect to mention specific dates, and the habit of making broad generalizations on insufficient data impair the author's conclusions. The chief fault consists in assuming that a condition true in one section or colony or of one institution, at a particular date, is also true for all the colonies for the whole period. A case in point is the statement on page 35 that only a small portion of the people learned to sign their names, an assertion that needs more proof than is given. On page 68 the extraordinary statement is made that "It is well known that the elementary schools provided for generally by law in New England were mainly to teach Latin." Reference to the laws will show that only certain towns were to maintain grammar schools, and that the *elementary* schools in the smaller towns were to teach only reading and writing.

The author is at his best in describing conditions at Harvard and his analysis of text-books is good, though less complete than George E. Littlefield's *Early Schools and School-Books of New England*. The author does not refer to this book nor to Dr. Louis F. Snow's *The College Curriculum in the United States*, the early chapters of which contain the best recent discussion of the field in question. There is a

bibliography appended but no index. In spite of its incompleteness the book represents much study and should be in the library of all persons interested in this field.

MARCUS W. JERNEGAN.

*Invitation Serieuse aux Habitants des Illinois* by "Un Habitant des Kaskaskias". Reprinted in facsimile from the original edition published at Philadelphia in 1772, with an introduction by Clarence Walworth Alvord and Clarence Edwin Carter. (Providence, Rhode Island, 1908, pp. 53.) By 1772 the French people at Kaskaskia, educated by contact with pushing Americans and by the misgovernment of Colonel Reid and Lieutenant-Colonel Wilkins, had arrived at the point of claiming political rights, and sent their agents to General Gage with a memorial asking that civil government be established in the Illinois country. While negotiations respecting the matter were being carried on there was printed at Philadelphia, in 1772, a pamphlet entitled *Invitation Serieuse aux Habitants des Illinois*. It urges the Illinois French to clamor for their rights and to adopt and maintain a stronger view of their importance as a colony. It is signed "Un Habitant des Kaskaskias". But one copy is known and this is preserved in the library of the Philadelphia Library Company. From this the tract has been reprinted, in one hundred copies, by the Club for Colonial Reprints, with an interesting and suitable introduction by Messrs. Alvord and Carter.

*Journals of the Continental Congress, 1774-1789*. Edited by Worthington Chauncey Ford. Volumes X., XI., XII., 1778. (Washington Government Printing Office, 1908, pp. 1338.) In matters of form and arrangement these volumes resemble their predecessors. The chief events with which they deal are the sending of the committee of conference to Washington at Valley Forge; the partial execution of the convention with Burgoyne; the election of Greene as quartermaster-general and of Steuben as inspector-general; certain emissions and depreciations of paper money; the discussions between Washington and Congress as to long enlistments; the alliance with France and the reception of Gerard; the dealings with the three British commissioners; the ratification of the Articles of Confederation by eleven states; and the arrival of the French fleet. The index to the three volumes seems excellent.

*The Seven Ages of Washington: a Biography*. By Owen Wister. (New York, The Macmillan Company, 1907, pp. xv, 263.) It would hardly be generous to take Mr. Wister at his word and criticize his book as a biography, which it assuredly is not. He has attempted, and he admits it in the preface, to give seven portraits of Washington, showing him as he appeared in his ancestry, his boyhood, his young manhood,

his married life, his command of the army, his presidency of the republic, and in the estimation of posterity. This portraiture, he thinks, is needed because we have received from previous biographers "a frozen image of George Washington held up for Americans to admire, rigid with congealed virtue, ungenial, unreal, to whom from our school-days up we have been paying a sincere and respectful regard, but a regard without interest, sympathy, heart—or indeed, belief".

This quotation is characteristic of the book's worst faults, which are crude historical knowledge and statements which are not consistent with themselves. It is crude historically because the ordinary biography of Washington does not present a "frozen image" of the man; nor is the true Washington that jovial and genial gentleman whom the author wants us to believe will appear in his book. It is inconsistent because it is impossible for one to have a "sincere and respectful" regard for a thing in which he has no "interest, sympathy, heart—or indeed, belief". The author has not a correct view of the historical setting of his portrait. He does not understand, for example, Jefferson's relation to the conditions which confronted him, relations which involved the whole political and much of the social situation in his day. So out of touch is the presentation with the history of the time that the informed reader will find it unreliable and the uninformed reader will get from it an erroneous view of a man whose best service was, not that he could swear on occasion and was careful with his wine, but that he had a sane and common-sense view of a difficult political and military situation.

Nor is Mr. Wister entirely acceptable from the standpoint of style. Although there is a rapid and attractive flow of words, there are many such crude expressions as that Congress "had none save Washington to look to for the safety of its skin" (p. 194), that mutiny was Gates's last chance and "he played it to the limit" (*ibid.*), and that "the infant Republic struggled tooth and nail" (p. 214). Strong adjectives are abundant and they are usually made to serve the purpose of adulation. Foot-notes are omitted, although in a book which claims to give a new view of Washington, they might well be abundant; there is no index; and the bibliography of twelve titles is so unimportant that it might have been omitted, even from the standpoint of the general reader.

The older school of hero-makers stressed Washington's personal virtues, a later school—whose influence has not yet died—stressed his dignity of appearance; Mr. Wister stresses his strong feelings. From the first we had a model for the young, from the second an ideal colonial gentleman, and from the third we have a man of human passions; all are idealized beyond reality. It would be good if some qualified student would write a life of Washington large enough to tell about his services with all necessary completeness, and scientific enough to recognize his limitations.

JOHN SPENCER BASSETT.

*The Poems of Philip Freneau, Poet of the American Revolution.* Volume III. Edited for the Princeton Historical Society by Fred Lewis Pattee of the Pennsylvania State College. (Princeton, The University Library, 1907, pp. xiv, 430.) The historian of literature has fixed Freneau's position among the poets. "He was", says Professor Trent, "the only genuine poet of consequence produced in America before the nineteenth century. . . . the first writer of American verse of whom it may be truly said that he had an affluence of talents and some traces of genius." But as an exponent of the feeling of his age his poems will ever have an interest for the historian of political and social conditions. Here we find such common feelings of the people of the day as contempt for Great Britain, disdain for even the suggestion of aristocracy and monarchy, devotion to democratic equality, sensitive love of liberty, national optimism, and welcome for fugitives from the unequal conditions of European society. The expression has sometimes the coarseness of the fanatic, and the verse is frequently mere doggerel, but the satire is keen and true to the class and community which were represented by the author. A few of his poems show a love of nature and a facility in elevated sentiment, but it is safe to say that he was most valued by the people of his day, as of ours, for this quality of popular interpreter.

The third and last volume of Freneau's poems covers the period from 1790, when he became an editor, until 1815, the date of the last contemporary edition of his poems. They include two periods of political interest; one while he edited Jefferson's party organ and the other while the second war with England was being fought. The poems of the first period are full of political subjects. Two deal with much spirit with the Jay treaty from the Republican standpoint (pp. 132, 133), seven are on our relations with France (pp. 84, 88, 89, 92, 99, 102, 106), and there are many others on incidents equally related to public affairs. Freneau's experience at sea makes him turn to maritime subjects and in this respect he is at his best in the War of 1812. He wrote about the navy in his Republican days, but not in a tone of admiration and patriotism. He has left three jeering poems of 1797 on the frigate *Constitution*, written when she was an offense to most Republicans because she was expected to fight republican France. But when fifteen years later the *Constitution* defeated the *Guerrière* he wrote most enthusiastically of the event. The majority of his later poems are connected with patriotic events, and although they have lost their partizan bias, they have not on that account lost their biting quality. With Freneau hatred of his country's enemies was quite as strong a stimulus as hatred of the Federalists.

Volume III., like its predecessors in the series, contains adequate notes explanatory of the text. It has also an index which applies to the poems as well as to the descriptions of poems and a bibliography of the poetry of Freneau.



*Life and Times of Stephen Higginson.* By Thomas Wentworth Higginson. (Boston and New York, Houghton, Mifflin and Company, 1907, pp. viii, 306.) In this life of his grandfather Colonel Higginson reminds us how full of charm and free from reproach pietistic biography may sometimes be. The character of the subject in this case contributes to the happy result. Stephen Higginson led an active and honorable life, judged public questions with great sagacity and discussed them with rare vigor of expression, shunned office and made no claim to greatness, but held an advisory place of marked influence among great men and great events. Furthermore, his strong opinions were redeemed by personal charity and a sense of humor—as his biographer delightfully shows in the introductory anecdote. Such a career stands best on a candid statement of its merits.

The reader is doubtless aware of the calendar and collection of Stephen Higginson's letters published, with a brief sketch of his life, by Dr. Jameson in the *Annual Report of the American Historical Association* for 1896. Colonel Higginson made important contribution to this preliminary work, and on the sources there given or mentioned the present biography is chiefly based. The first chapters present Higginson's social and business environment and what little is known of his life during the Revolutionary period and of his personal share in the early politics of the "Essex Junto". From about 1782 the materials are more abundant, and one feels that the author might have worked out a clearer account of Higginson's policy in the Colonial (why this name?) Congress. On the other hand, nothing could be more effective than the characterization on page forty-two beginning: "The habit of the quarter-deck, in fact, went all through the Federalist party of Massachusetts."

Subsequent chapters show the remarkable effectiveness of Higginson's arguments for a stronger union of the states. His clear grasp of the many reasons, commercial, political and social, for this great reform constitutes his best claim upon the notice of posterity. He is duly awarded credit for the first suggestion of ratification by nine states in convention. Just praise is also given to his share in the suppression of the Shays Rebellion.

An account of "Laco" and his letters, in which judgment is left to some future biographer of Hancock, is followed by several further chapters on commercial and political affairs. These are full of interest, but the relations of Higginson to the history of the Federalist party could have been more closely traced. Also some rearrangement of material and the further development of certain questions might be suggested. The account of Higginson's invaluable work as navy agent and the glimpses of his later life are most entertaining. In the course of the book the author finds many opportunities for his genial felicity of observation, but limitations of space forbid quotation here.

JOSEPH PARKER WARREN.



*The Journal of the Debates in the Convention which framed the Constitution of the United States, May-September, 1787*, as recorded by James Madison. In two volumes. Edited by Gaillard Hunt. (New York, G. P. Putnam's Sons, 1908, pp. xvii, 392, vi, 461.) This is a re-issue, evidently from the same type, of Madison's debates as printed in volumes three and four of Hunt's *Writings of James Madison*. By the use of a somewhat longer printed page and by the compression of the printed matter the text of this reissue is reduced to 168 pages less than that contained in the *Writings of Madison*. In one case at least a reference in a note has not been changed to conform with the altered pagination. Several slight corrections have been made in the introduction and in the text, but a number of errors have been left uncorrected.

It is unfortunate that the editor did not see fit to rewrite his introduction. The statement (vol. I., p. xi) that the "notes of Yates, King, and Pierce are the only unofficial record of the convention extant, besides Madison's" was misleading in 1902 when made in the introduction to the third volume of the *Writings of Madison*. Much additional material has been found and printed since 1902. The bibliographical information contained in Mr. Hunt's introduction is now superseded by that given in Professor Farrand's article on *The Records of the Federal Convention*, published in the number of this journal for October, 1907.

Mr. Hunt has supplied a somewhat urgent need by the separate issue of his edition of Madison's debates. Gilpin's edition was not printed from Madison's original manuscript. The fifth volume of Elliot and Scott's reprint are both based on Gilpin's text. The text in the *Documentary History of the Constitution* was printed from the original manuscript, but its indication of erasures and interlineations almost unfits it for use by the ordinary student or reader. The debates have been edited in a careful and scholarly manner. It may be proper, however, to express regret that the word "Journal" should have been used as part of the title of an edition of Madison's debates; such a use is not only inaccurate but leads to confusion, in as much as the notes to the debates contain frequent references to the printed journal of the convention of 1787.

W. F. DODD.

*The Writings of James Madison*. Volume VII., 1803-1807. Edited by Gaillard Hunt. (New York, G. P. Putnam's Sons, 1908, pp. x, 469.) While we have nothing but praise for the manner in which Mr. Hunt has annotated his texts, and have no doubt that, given his principles of selection, he has made a judicious choice, we feel disposed to complain of the principles of selection themselves. In this volume of 469 pages, only thirty-six consist of matter heretofore unprinted. A little more than half of the pages reproduce what is already in the folio *American State Papers*. More than two-thirds of the remainder are occupied by Madison's *Examination into the British Doctrine con-*

cerning *Neutral Trade*, printed in 1806 and reprinted in *Letters and Other Writings of James Madison*, edited by Rives. Some of the rest is also in Rives. Twelve instructions written by Madison as Secretary of State, and one of his letters, are all that is new. The volume, in fact, is almost entirely made up of Madison's instructions. They are documents of great interest and importance to the student of history, and we admit the difficulty of making a choice when, voluminous writer though Madison was, one cannot expect that a collection of his writings shall be allowed to extend beyond a moderate number of volumes. But on the other hand there are, to mention no other parts of Madison's correspondence, among the Jefferson Papers nearly ninety of his letters to Jefferson written during these five years, not one of which Rives printed, and not one of which Mr. Hunt prints. They ought to be valuable to the historian. From extracts quoted by Mr. Henry Adams we should judge that they are so. They are quite fresh material, while sets of the *American State Papers* are in every considerable library.

*The Union Cause in Kentucky, 1860-1865.* By Captain Thomas Speed. (New York, G. P. Putnam's Sons, 1907, pp. xxiii, 355.) Mr. Speed's book is by no means a connected history of Kentucky during the Civil War. He belongs to a family honorably famed for friendship with Abraham Lincoln, which served faithfully and sacrificed much in behalf of the cause of the Union. Mr. Speed thinks that no proper treatment of the course of events in Kentucky has been made by those who have undertaken to write her Civil War history, and issues his own book simply to correct their mistakes. He mentions three histories, two of which, those of Collins and Smith, are Southern in tone; the third is by a Unionist, a writer no less distinguished than Professor Nathaniel S. Shaler of Harvard University. Naturally the Southern histories do not satisfy Mr. Speed; but Shaler's Unionist presentment satisfies him scarcely more. The Harvard professor goes much too far, he thinks, in declaring that after all the best brain and brawn of Kentucky went with the South; that only the "thinner soils" furnished men for the North, an inferior and impoverished stock; that the best leadership, both in politics and the field, took sides with the Confederacy.

Mr. Speed's material, though not well arranged, is abundant. His accuracy is vouched for by Justice John M. Harlan of the United States Supreme Court, who introduces the book with a letter of commendation. The Union cause could not have prevailed but for the loyal efforts of the border-states, among which Kentucky through position and character was perhaps most important. What precisely her Union men did it behooves us to know. Such an effort as this to set straight the record, an effort made by a witness on the ground and well-accredited, is surely entitled to consideration.

J. K. HOSMER.

*Richard Hooker Wilmer, Second Bishop of Alabama.* A Biography, by Walter C. Whitaker, Rector of St. John's Church, Knoxville, Tennessee. (Philadelphia, George W. Jacobs and Company, 1907, pp. 323.) This life of Bishop Wilmer of the diocese of Alabama is an excellent example of what a good personal biography should be. The story of the career here recorded runs smoothly from Alexandria, Virginia, where the eminent churchman passed his boyhood days, to the region of the upper James River in Virginia, to Richmond at the opening of the Civil War and finally ends with the long Episcopal residence in the suburbs of Mobile, Alabama.

The man's personality, his practical common-sense religion, his democratic ways and his rugged honesty stand out on every page. An ardent churchman, filled with a zeal which in many of his fellow-clergy amounted to extravagance and exclusiveness, he yet participated before the close of his life in a meeting which looked to the union of all Protestant churches. A strong secessionist in Richmond urging the members of the convention to hasten out of the Union and an unbending opponent to General Thomas, the military governor of Alabama at the close of the war, he nevertheless yielded with grace to the situation after 1865 and accepted advice and gifts from the North for the furtherance of his Alabama work.

Bishop Wilmer was in a position to see and hear much that would be interesting during the Civil War, yet his biographer does not reproduce a great deal that is of historical importance. He sharply criticized President Davis for retaining Bragg at the head of the Army of Tennessee after the latter had lost the respect of his subordinate officers; but he nevertheless steadfastly supported the president in the bitter months after the fall of Atlanta.

Though the book does not consciously enter, as indeed there was no occasion to do, into any account of the larger events that paralleled the ardent churchman's career, it does unconsciously shed grateful rays of light on Virginia life just before the war—especially the unique aristocracy that dwelt along the banks of the upper James where there was not a male communicant of the Protestant Episcopal Church in a region more than a hundred and fifty miles long!

The sound sense of this eminent Southern leader comes out in his advice to farmers to keep their fences in order, plow their fields and reduce all useless expense if they would prosper, and in his criticism of those who look with scorn upon manual labor. Had there been more sturdy, rugged Wilmers, many of the ills incident to thriftlessness and squalid poverty in various sections of the South might have been escaped. This life of the Alabama clergyman well repays a careful perusal both from the viewpoint of church history and from that of a lively human interest.

WILLIAM E. DODD.

*The History of North America.* Edited by Francis Newton Thorpe, Ph.D. Volume XVI. *The Reconstruction Period.* By Peter Joseph Hamilton. (Philadelphia, George Barrie and Sons, 1905, pp. xxi, 571.) This is the sixteenth volume in George Barrie and Son's *History of North America* and it brings the work down to the close of the Reconstruction period and the restoration of white supremacy in the South. Francis Newton Thorpe, the present editor of the series, contributes an introduction in which he discusses in a general way the larger meaning of reconstruction—a meaning, which, he says cannot be fully known in America for many years, perhaps for centuries. Mr. Thorpe sees in the reconstruction of the South a great “organic and humane” movement full of good to the white race as well as to the negro since both were elevated to a “higher plane”. It was, he says, “part of the general and ever slowly developing definition of the rights of men” and the Southern white man who criticizes the Reconstructionists ought not to overlook the “awful responsibility” for the black race that was lifted from his shoulders by the grant of full civil and political privileges to the negro.

The author is a Southern man though of Northern ancestry, a fact, which in the opinion of the editor, is an essential qualification for the task here undertaken, for, he says, “it is practically impossible for one whose experience has been wholly in the North to know the meaning of reconstruction.”

Mr. Hamilton makes no pretense to having contributed anything new to the subject with which he deals but on the contrary admits that he has relied mainly on the various monographs that have appeared in recent years. His work shows that he has drawn largely from these sources although none of them are mentioned except in his prefatory note. Nowhere in the body of his book is there a single foot-note or citation of authority, neither of which, he says, was permitted by the plan of his work. His treatment of the reconstruction process in its various forms is so distinctly judicial that the story in many places verges on colorlessness. Nevertheless he characterizes the whole reconstruction movement as a “Tenth Crusade, an attempt to force upon the old Southern States . . . new ideals whose realization involved a complete change in state, family, church and industry” (p. 19). Again he says, “The methods pursued produced deplorable results for they were based upon theories and took no account of the silent, unconquerable resistance of race instinct and public opinion” (p. 526). In his treatment of such subjects as the “black codes”, the freedmen’s bureau, and the Ku Klux organization the author exhibits more conservatism than most Southern writers, though, regarding the Ku Klux movement, he expresses the opinion that there was no other course open to the South since some “control of the situation” was a necessity (p. 449).

The book contains fifty-six illustrations, mostly portraits, many of which are either inappropriate or out of place in the text. We note

some unimportant errors of fact: the veto of the Reconstruction Act was not the first to be overridden (p. 174) but the twentieth; *Hooper* on page 265 should be *Hooker* and *General* should be *Colonel*; *Beauvoir* (p. 84) is not in Louisiana but in Mississippi.

J. W. GARNER.

*Chile: Its History and Development, Natural Features, Products, Commerce and Present Conditions.* By G. F. Scott Elliot, M.A., F.R.G.S. With an Introduction by Martin Hume. (New York, Charles Scribner's Sons, 1907, pp. xxviii, 363.) Two attractive handbooks for the west coast of South America have recently appeared. That on Peru, noticed in the April number of the REVIEW, makes less of an appeal to the historian than does this volume on Chile, which devotes three-quarters of its space to history. Its author, Mr. Elliot, who has spent "a few months" in Chile, admits that there is "a certain audacity in a stranger venturing to criticize the Society of a country" where he has been so short a time (p. 273). But he is vouched for as "thoroughly qualified" by no less a person than Major Martin Hume in an entertaining, if rather superfluous, introduction.

There is a decided lack of proportion in the historical allotments. The well-known Araucanian wars are treated very fully, while the nineteenth century is slighted. The war with Peru and the Balmacedan revolution are accorded very weak treatment. Not only are such features as the behavior of the Chilean troops in Lima omitted entirely but there is no comprehensive grasp of Chile's foreign relations, and there is no mention of the "Baltimore" incident and our strained relations with Chile in 1891-1892.

At the end of the book is a "Bibliography". It includes Dundonald's *Autobiography* which has never a word about Chile, and omits altogether his important *Services in Chile, Peru and Brazil*. Separate entries are made for the tales of all the buccaneers whose voyages to the coast of Chile are found in the collections of Pinkerton and Burney but there is not the slightest reference to such indispensable aids as J. T. Medina's numerous works or even the entertaining and very valuable narratives of Lady Graham or Captain Basil Hall, which one would not suppose a loyal "Britisher" could have overlooked.

One gathers from the foot-notes that the author's main reliance has been Hancock. There has been little attempt to go back to the original sources. Indeed, the great collections of documents do not appear to have come within Mr. Elliot's horizon. It scarcely needs to be added that his work can hardly be regarded as a serious addition to our knowledge of Chilean history. Anyone who is acquainted with so much of her history as is given in Hancock's *Chile* and Akers's *South America* will find little that is new and miss much that is worthy of remark. Nevertheless, the last hundred pages, descriptive of present-day conditions, are well worth perusal. The index is inadequate but the map is excellent and the illustrations sometimes illustrate the text.

The book should really be judged simply as an entertaining handbook. From this standpoint the work has been well although rather hastily done. The result is an attractive *vademecum*, pleasing to the eye, light in the hand, and convenient in several ways both to the general reader and the traveller.

HIRAM BINGHAM.

#### TEXT-BOOKS

*The Teaching of History*, by Dr. Oskar Jäger. Translated by H. J. Chaytor, M.A. With an Introduction by C. H. Firth, M.A. (Oxford, B. H. Blackwell; London, Simpkin, Marshall and Company, 1908, pp. ix, 228.) This book has been translated from the German for the use of English teachers of history in elementary and secondary schools. Though it describes the conditions of historical teaching in German schools there are many hints of value for American teachers. It is not a book which enumerates special arts or methods of instruction except as they are given incidentally to the main purpose. This purpose is to tell how history is taught in Prussia, its aims, the reasons for the choice of particular historical periods, the order in which they should be studied, and the relation of history to other studies in the curriculum. The author says, "There is a general impression that our pupils learn history only during the so-called history hours; yet nothing is more obvious than the fact that historical information and impressions may be derived by our pupils from many other sources; consequently there can be no fruitful discussion of historical instruction until we have secured a clear view of these tributary streams of influence, if we may use the term, and their effect upon the main stream of historical teaching." This is the key-note of the book. Great emphasis is laid on the correlation of history with other subjects such as Latin, German literature, geography and religious instruction. An appendix contains illustrations of the "lecture" or story told the pupils by the teacher; *e. g.*, one on Events after Canossa treats of the difficult subject of the conflict between Henry IV. and Gregory VII. The book is a welcome addition to the literature of the subject.

M. W. J.

*Manual of American History, Diplomacy, and Government*. By Albert Bushnell Hart, Professor of American History at Harvard University. (Cambridge, Published by Harvard University, 1908, pp. xvi, 554.) For a number of years, teachers of history have received material assistance in their work through the outlines and suggestions prepared by Professor Hart. This volume still farther renders us his debtors, for it not only contains a careful selection of the best material from the earlier volumes but embodies also significant topics and essential bibliographies adequate to bring the narrative down to the present. The three courses outlined in the edition of 1903 have been increased to six.

Course A provides for a general narrative course which traces American political and constitutional development, in ninety lectures, from the organization of government under the Constitution through the problems of President Roosevelt's administration. Emphasis is likewise given to economic and social questions, and to the development of the West. Topics of the latest date are also included, such as: State Authority over Local and Municipal Governments; Federal Control over Corporations; and Dependencies. Course B constitutes a brief narrative course to be covered in thirty lectures, from the end of the Revolution to the effects of the Second Hague Conference. American diplomatic history is similarly provided for in course C, with ninety lectures, and course D, with thirty lectures. Courses E and F are outlines for advanced courses on American government. Extensive directions are included for class-room papers, library reports and examinations. This volume will be welcomed by the alert teacher even though he may not have access to the wealth of material suggested. The mechanical arrangement is excellent. It is to be regretted that an index has not been provided, as in the former editions.

J. A. JAMES.



## NOTES AND NEWS

### GENERAL

From July 1 to September 25 the address of the Managing Editor will be 244 Goldwin Smith Hall, Ithaca, New York; after that, as usual, Carnegie Institution, Washington, D. C.

Eduard Zeller, for sixty years the foremost authority on the history of Greek philosophy, died on March 19 at the advanced age of ninety-four. As a student at Berlin he was influenced by Hegelian conceptions, which he helped to introduce into theological studies through the medium of the *Theologische Jahrbücher*, of which he was one of the founders in 1842. In 1847 he became professor of theology at Bern, and two years later was appointed to the same chair at Marburg. In 1844-1852 appeared the first edition of his celebrated work, *Die Philosophie der Griechen in ihrer geschichtlichen Entwicklung*. Among his other works are *Die Geschichte der Christlichen Kirche* (1847); *Das theologische System Zwinglis* (1853); and *Staat und Kirche* (1873).

Gaston Boissier, perpetual secretary of the French Academy, and author of several brilliant works on the history, religion and literature of ancient Rome, died in June, aged eighty-four. His books, *Cicéron et ses Amis*, *La Religion Romaine d'Auguste aux Antonins*, and *La Fin du Paganisme*, passed through numerous editions. Later works deal with Catiline and Tacitus.

Theodor Ritter von Sickel, the eminent palaeographer and historian, died in April, aged eighty-one. He studied at the École des Chartes, and in 1857 was appointed professor at the University of Vienna. In 1867 he became director of the Institute for Austrian History, and in 1901, director of the Austrian Institute of Historical Studies at Rome. He edited a large number of texts relating to the medieval history of Germany, and documents from Austrian archives relative to the council of Trent.

Arthur-Michel de Boislesle, member of the Institute and of the Committee on Historical Works, secretary of the Society of Antiquaries and of the Society of the History of France and president of the Society of the History of Paris, died recently at the age of seventy-two. The long list of his works includes several volumes of texts and studies relating to the financial history of the Ancient Régime and his *chef-d'œuvre*, the edition of the *Mémoires de Saint-Simon*, begun in 1879, and unfinished in twenty volumes.

Nicolas-Émile Gebhart, member of the French Academy, professor in the Faculty of Letters at Paris, and author of several brilliantly-



written historical works on medieval Italy, as well as of artistic and literary studies in various fields, died on April 24, aged sixty-eight. His writings include *Origines de la Renaissance en Italie* (1879), which was crowned by the Academy; *L'Italie Mystique: Histoire de la Renaissance Religieuse au Moyen Âge* (1890); and *Moines et Papes* (1896).

Mr. A. Howard Clark, who has been Secretary of the American Historical Association since 1900, and had been its assistant secretary for eleven years previous, has been constrained, by the pressure of his duties at the Smithsonian Institution, to ask relief from the public-spirited labors which he has so long sustained on behalf of the Association, and has offered his resignation. Pending action in respect to the matter, correspondence regarding the business of his office may be sent to J. F. Jameson, whose address is given in the first item above.

Professor Albert Bushnell Hart takes advantage of a sabbatical year to engage in a tour around the world, beginning in June. During his absence Professor William MacDonald of Brown University will conduct the courses at Harvard usually given by Professor Hart. Dr. A. C. Coolidge has been promoted to a professorship of history in Harvard University; Professor R. M. Johnston of Bryn Mawr has been appointed, and Dr. R. B. Merriman promoted, to an assistant professorship. The removal to Cambridge of Andover Theological Seminary adds courses by Professor Platner to the list of courses in church history available to Harvard students.

Professor Herman V. Ames of the University of Pennsylvania has been advanced from assistant professor of American history to a professorship of American constitutional history.

Dr. Lawrence M. Larson has become assistant professor of history in the University of Illinois.

Dr. U. B. Phillips, assistant professor of history in the University of Wisconsin, has accepted the chair of history in Tulane University.

Mr. W. L. Westerman, hitherto of the University of Minnesota, has been made assistant professor of history in the University of Wisconsin. Mr. W. J. Chase has also been made assistant professor there. Mr. Richard F. Scholz has been called from Madison to the chair of ancient history in the University of California, as successor of Professor William S. Ferguson. Mr. James Edward Tuthill, also of Wisconsin, has been appointed assistant professor in the newly-organized State University of Kentucky, Lexington.

Professor Walter L. Fleming has resigned the position of secretary of the Conference of State and Local Historical Societies which is to take place at Richmond in connection with the next meeting of the American Historical Association. Professor St. George L. Sioussat has consented to serve in his place.

After this year Dr. James Schouler will not lecture at the Johns Hopkins University, but in retiring has founded a lectureship in his-

tory and political science. The courses are to be given annually, by lecturers of promise or prominence in those fields.

Dr. G. W. Prothero of the *Quarterly Review*, who was prevented from coming to America this spring, will give a course at Harvard during the second half of the coming year on the growth of the British Empire. Dr. C. Raymond Beazley of Oxford will lecture next autumn at the Lowell Institute and at several American Universities.

Professor Hume Brown has been appointed historiographer royal for Scotland to succeed the late David Masson.

Arrangements for the next annual meeting of the American Historical Association have been completed in their main outlines. On Monday evening, December 28, the members of this Association and of the American Political Science Association will in joint session listen to the inaugural address of Mr. James Bryce, as president of the latter body. On Tuesday morning there will be a separate session in Washington; in the afternoon a special train to Richmond; in the evening the presidential address of Professor George B. Adams. On Wednesday there will be two conferences, on the Relations of Geography to History and on the Teaching of History in Secondary Schools; also papers in European History. On Thursday, beside the usual conference of those interested in the work of state and local historical societies, there will be "round-table" conferences on research in English history, in American colonial and Revolutionary history and in Southern history. In the evening General E. P. Alexander, C. S. A., and other officers and authorities in Civil War history, will discuss certain aspects of the campaigns in Virginia. On Friday, January 1, the formal exercises being concluded, there will be an excursion to Charlottesville and the University of Virginia. Between sessions there will also be opportunities to visit the battlefields of Petersburg, Seven Pines and Yellow Tavern.

At the time of issue of this journal the *Annual Report of the American Historical Association* for 1906, reviewed elsewhere, is just issuing from the Government Printing Office. It will be remembered that volume II. of the *Annual Report* for 1905, containing Mr. Griffin's bibliography of the American historical societies, can be obtained only from the Superintendent of Documents, the price (\$1.00) being sent to that official with the order. The two volumes for 1906 are distributed in the ordinary manner to all members of the Association in good standing. The *Annual Report* for 1907 is nearly ready for the press and composition upon it will be begun as soon as possible after the opening of the new fiscal year. Its second volume will comprise the first half of the Diplomatic Archives of the Republic of Texas, edited by Professor George P. Garrison.

The Committee on the Documentary Historical Publications of the United States Government, appointed by the President to serve under the authority of the Committee on Department Methods ("Keep Com-

mission") and consisting of Messrs. C. F. Adams, C. M. Andrews, W. A. Dunning, W. C. Ford, A. B. Hart, J. F. Jameson, A. T. Mahan, A. C. McLaughlin and F. J. Turner, met in Washington on March 28 and organized, with Mr. Ford as chairman and Mr. Jameson as secretary. Preliminaries were considered and the subsequent work was allotted in subdivisions to the respective members. Formal reports by them were considered at the second meeting, held on June 1 and 2. The committee cannot expect to finish its labors for some months. It is believed that they will result in plans of publication through which the government's historical product may be given a broader scope, higher standards and greater utility to historians.

At the Madison meeting of the American Historical Association the conference on the work of historical societies appointed a committee of seven, under the chairmanship of Dr. Dunbar Rowland, to consider the possibilities of co-operation among historical societies, especially among those of the Mississippi valley. A meeting was held in Washington on April 16 which resulted in several tentative steps of progress. The committee resolved to recommend that historical societies, in so far as is possible, refrain from further transcription of documents in foreign archives until carefully prepared general lists can be made by joint effort.

We are able to recommend without hesitation, to those who need to have copying or research effected for them in the archives or libraries of Paris, the establishment entitled "Le Document", of which Monsieur L. Jacob, *archiviste paléographe*, is the director. His address is 17, rue de Sévigné. The establishment is under the patronage of the Société de l'École des Chartes and the members of its staff are graduates of that school, whose diploma, as is well known, is a guaranty of competence in such work as M. Jacob offers to perform. A photographer and a draftsman are attached to the office, so that reproductions of manuscripts, miniatures and maps may be obtained from it as well as copies and data of research.

An International Historical Congress on the Peninsular War and its Epoch (1807-1815) will be held at Saragossa from October 14 to 20, inclusive, as part of the centenary celebration of the siege of that city. The following sections are being arranged for: political history of the Peninsula (1807-1815); military history; interior history; relations between Peninsular history and that of other countries; the siege of Saragossa; bibliography, memoirs, biography, correspondence, unedited materials. Dr. Eduardo Ibarra Rodríguez, dean of the Faculty of Philosophy and Letters in the University, is president of the committee of organization, whose secretary is Miguel Allué Salvador, 7, Plaza de Aragón, Zaragoza.

Professor J. H. Robinson has contributed to the series of lectures on science, philosophy and art, delivered at Columbia University during the academic year 1907-1908 by professors chosen to represent the

several departments of instruction, an excellent discourse on the aims and scope of *History* (Columbia University Press, 1908, pp. 29) from Herodotus to the present time.

Professor Robert De Courcy Ward of Harvard University is publishing in the *Progressive Science* series (Putnams) a work on *Climate, considered in Relation to Man*.

*An Alphabetical Index and Index Encyclopedia to Periodical Articles on Religion 1890-1899*, compiled and edited by E. C. Richardson with the co-operation of C. S. Thayer, W. C. Hawkes, P. Martin and various members of the faculty of Hartford Theological Seminary (New York, Scribners, 1908), is based on an examination of some 1500 reviews. More than 60,000 articles, treating of 15,000 subjects, are classified.

The Librairie Picard has begun a new series, the "Library of Religious History", with a volume on the *Histoire du Dogme de la Papauté, des Origines à la Fin du Quatrième Siècle* (pp. 492), by the Abbé J. Turmel. Among the volumes in preparation are: *La Religion de l'Égypte Ancienne*, by J. Capart; *Les Cultes Indigènes de l'Europe Occidentale sous l'Empire Romain*, by J. Toutain; *La Réforme Catholique en France et le Concile de Trente*, by the Abbé Humbert; *Le Totémisme*, by Abbé Bros; and *La Magie*, by Abbé Habert.

An *Encyclopædia of Islam*, a dictionary of the geography, ethnography and biography of the Mohammedan peoples, prepared by a number of leading Orientalists under the supervision of Professor M. Th. Houtsma of the University of Utrecht, and Dr. M. Seligsohn, is being published under the patronage of the International Association of Scientific Academies. The work, which will be issued in English, French and German editions, will be complete in three large volumes of fifteen parts each. The first part (London, Luzac, 1908, pp. 64) has already appeared.

Jacques Rosenthal, the bookseller of Munich, has published under the title *Bibliotheca Paedagogica* a catalogue of educational works covering 590 pages and describing 8,241 numbers. It is particularly rich in the bibliography of educational publications of the fifteenth and sixteenth centuries and includes lists of incunabula and manuscripts. The appendix includes several manuscripts dating from the twelfth and thirteenth centuries.

The paper on *The Place of Geography in the Teaching of History*, read by Professor George L. Burr before the New England History Teachers' Association at the twenty-second annual meeting, October 19, together with the discussion of the paper, has been published by the association through Ginn and Company.

In the historical bulletin of the *Revue Historique* of May-June M. Louis Hourticq notices publications, mainly of the last three years, concerning the history of art.

Among the forthcoming volumes in *Everyman's Library* (Dutton), are *Chronicles of the Crusades* by Joinville and Villehardouin, newly translated by Sir Frank Marzials, *Marco Polo*, Hakluyt's *Voyages* and

Hoare's translation of Giraldus Cambrensis's *Itinerary through Wales*.

Materials important for the study of the cartography of Schleswig-Holstein, Denmark, Norway, Sweden and Finland, for the geographical history of Germany, Holland and Russia, and for the history of the exploration of North America and the Polar lands are collected in *Anecdota Cartographica Septentrionalia* (Copenhagen, Høst, 32 pages of text and 11 plates) edited by Axel Anthon Björnbo and Carl S. Petersen with an English translation by Sophia Bertelsen, and printed at the expense of the Royal Danish Society of Sciences. The work contains reproductions, descriptions, and tables of names of the following maps, none of which have been easily accessible hitherto: an anonymous Catalan sea-chart of the fourteenth century, from the National Library, Museo Borbonico, Naples; two maps by Henricus Martellus Germanus, one of the North, c. 1490, from the University Library, Leyden; the other, of Scandinavia, c. 1490, from the British Museum; section of an anonymous chart of the Atlantic Ocean, c. 1504, from the Royal Bavarian Army Library, Munich; map of Denmark and adjacent countries, c. 1550-1565, by Cornelis Anthoniszoon, from the former University Library, Helmstedt; Marcus Jorden's map of Schleswig and Holstein, 1559, from the University Library, Leyden; anonymous map of the Inner Baltic, 1550-1600, from the University Library, Leyden; anonymous map of North Fjord, 1594, Imperial Library, Vienna; anonymous sketch for a map of the southern part of the west coast of Norway, 1586-1600, Imperial Library, Vienna; map of the northernmost parts of Europe, 1601, by Simon van Salinghen, Royal Archives, Stockholm; and a map of Iceland, Greenland, and the northeastern part of America, 1626, by Joris Carolus, from the Royal Archives at the Hague, with the place-names given by the Dutch explorers, as far south as New York.

Under the title *Rossija i Italija*, the Russian professor, E. Shmurlo, has issued through the press of the Imperial Academy of Sciences at St. Petersburg, the first fascicle of the first volume of a collection of historical materials and studies concerning the relations of Russia with Italy, the results of researches in the Roman archives entrusted to him by the Russian government.

Noteworthy articles in periodicals: G. Monod, *La Méthode en Histoire: L'Analyse; La Méthode en Histoire: La Synthèse* (*Revue Bleue*, April 11, 18); James Bryce, *The Influence of National Character and Historical Environment on the Development of the Common Law* (*The Journal of the Society of Comparative Legislation*, December); Eduard Spranger, *Wilhelm v. Humboldts Rede "Über die Aufgabe des Geschichtschreibers" und die Schellingsche Philosophie* (*Historische Zeitschrift*, C. 3).

## ANCIENT HISTORY

Professor J. H. Breasted of the University of Chicago has published in Scribner's "Historical Series for Bible Students" *A History of the Ancient Egyptians*, based upon his larger *History of Egypt*, which appeared two years ago.

In M. H. Pognon's important volume, *Inscriptions Sémitiques de la Syrie, de la Mésopotamie et de la Région de Mossoul* (Paris, Lecoffre, 1908, pp. 228, with 42 plates outside the text), the author has added nearly one hundred new texts to the small number of examples of Syrian epigraphy, besides republishing several others previously issued in an imperfect manner. Thirty-seven texts are prior to the Arabian occupation and of these a dozen date from the first or second century, A. D. Twenty date from the eighth to the tenth century, fifty from the eleventh to the thirteenth century, and five from the thirteenth to the sixteenth century. Beside the Syrian inscriptions there are nine others, one Babylonian, one Assyrian, four Hebraic and three Armenian.

Rev. Dr. George Adam Smith, professor at the United Free Church College, Glasgow, and the well-known author of the *Historical Geography of the Holy Land*, has published through Messrs. Hodder and Stoughton a work entitled *Jerusalem: the Topography, Economics, and History from the Earliest Times to 70 A. D.*

Another study of the Holy City, which begins at the year 70 A. D., has been written by Dr. Selah Merrill, for sixteen years consul at Jerusalem. His book, *Ancient Jerusalem* (Revell, 1908, pp. 419), embodies the results of thirty-five years' research in the locality and contains over 100 charts, maps and photographs.

Recent volumes in the *Studien zur Geschichte und Kultur des Altertums*, edited by Professors E. Drerup, H. Grimme, and J. P. Kirsch (Paderborn, F. Schöningh), are Professor Henri Francotte's *La Polis Grecque*, researches on the formation and the organization of cities, leagues and confederations in ancient Greece (pp. viii, 252); and Dr. Hans Weber's *Attisches Prozessrecht in den attischen Seebundstaaten* (pp. 66).

To the historical bulletin of the *Revue Historique* for May-June, M. Ch. Lécrivain contributes a long first installment of a review of the numerous publications, other than French, relative to Latin antiquities, issued from 1902 to 1907, inclusive.

*Civil War and Rebellion in the Roman Empire, A. D. 69-70* (Macmillan), by Mr. Bernard W. Henderson, sub-rector and tutor of Exeter College, Oxford, is designed as a companion to the "Histories" of Tacitus, and deals largely with the strategical and geographical aspects of the campaigns.

A considerable mass of materials for a much-needed general account of the Roman legions is becoming available in the fairly numerous monographs devoted to the history of individual legions. An important addition to this class of studies is made by Dr. Hubert van de Weerd

in his *Étude Historique sur Trois Légions Romaines du Bas-Danube* (I<sup>re</sup> Macedonica, XI<sup>e</sup> Claudia, I<sup>re</sup> Italica) suivie d'un *Aperçu Général sur l'Armée Romaine de la Province de Mésie Inférieure sous le Haut-Empire* (Paris, Fontemoing, 1907, pp. 410), fascicle sixteen of the collection published by members of the conferences of history and of philology of the University of Louvain.

Noteworthy articles in periodicals: F. G. Kenyon, *Greek Papyri and Recent Discoveries* (Quarterly Review, April); Paul Allard, *Sidoine Apollinaire sous les Règnes d'Aétius et de Majorien* (Revue des Questions Historiques, April).

#### EARLY CHURCH HISTORY

Father F. Savio has published in the collection, "Fede e Scienza", a critical study, *La Questione di Papa Liberio* (Rome, 1907, pp. 218). The author prints the documentary material on which his important conclusions are based.

The Rev. J. F. Bethune-Baker, of Pembroke College, Cambridge, has published through the Cambridge University Press a study of the Nestorian controversy, entitled *Nestorius and his Teaching*, a fresh examination of the evidence made with special reference to the newly recovered apology of Nestorius (The Bazaar of Heraclides), the Syriac version of an account of the controversy written in Greek by Nestorius himself. The author concludes that "Nestorius was not Nestorian."

#### MEDIEVAL HISTORY

Mr. Frederic Austin Ogg, assistant in history in Harvard University, has compiled *A Source Book of Medieval History* (American Book Company, 1908, pp. 504), designed to meet the requirements of secondary schools, and the freshman year of college work. The documents are translated and are edited with introductions and with fuller notes than are usually found in works of this class.

Under the title *The Inquisition* (Longmans, 1908, pp. xiv, 284), B. L. Conway has translated a critical and historical study of the coercive power of the church by the Abbé Vacandard. The earlier chapters of the work review the suppression of heresy from the period of the primitive church; the latter are devoted to the theory and practice of the Inquisition and to a defense and criticism.

*The Lives of S. Francis of Assisi*, by Brother Thomas of Celano, now first translated into English by A. G. Ferrers Howell of Trinity College, Cambridge, has been recently issued by Methuen (pp. 260). The translation is based on Fr. E. d'Alençon's new edition of the original published in Rome in 1906.

M. Achille Luchaire, of the Institute, concludes his series of studies on the political work of Innocent III. in a fifth volume, *Innocent III. Les Royautés Vassales du Saint-Siège* (Paris, Hachette).

Dr. P. M. Baumgarten has published a study relative to the bulla-



*tores, taxatores, domorum cursores* of the pontifical chancery in his work *Aus Kanzlei und Kammer. Erörterungen zur Kurialen Hof- und Verwaltungsgeschichte im XIII., XIV. and XV. Jahrhundert* (Freiburg i. B., Herder, pp. xviii, 412).

Fritz Pradel has contributed to the series of *Religionsgeschichtliche Versuche und Vorarbeiten* an erudite volume on *Griechische und Süditalienische Gebete, Beschwörungen und Rezepte des Mittelalters* (Giesen, A. Töpelmann, 1907, pp. viii, 151), containing the texts of religious medicinal receipts and of exorcisms from a Marcanus of the sixteenth century and from a Barberini manuscript of 1497, together with an historical commentary in which the author seeks to distinguish the Christian, gnostic and pagan elements.

The second volume of *The Cambridge History of English Literature*, entitled *The End of the Middle Ages* (Cambridge University Press), includes chapters on the Westminster Press, by E. Gordon Duff, and on Universities and Public Schools to the Time of Colet, by the Rev. Dr. T. A. Walker.

Noteworthy articles in periodicals: L. Gougaud, *L'Œuvre des Scotti dans l'Europe Continentale (fin VI<sup>e</sup>-fin XI<sup>e</sup> Siècles)*, concl. (*Revue d'Histoire Ecclésiastique*, April); A. Luchaire, *Innocent III. et le Quatrième Concile de Latran*, concl. (*Revue Historique*, May-June); W. S. Holdsworth, *The Legal Profession in the Fourteenth and Fifteenth Centuries*, II. (*Law Quarterly Review*, April).

#### MODERN HISTORY

The fifth volume of Professor J. von Pflugk-Harttung's *Weltgeschichte. Die Entwicklung der Menschheit in Staat und Gesellschaft, in Kultur und Geistesleben*, is a *Geschichte der Neuzeit. Das politische Zeitalter 1650-1815* (Berlin, Ullstein, 1908, pp. xix, 643, 629, with numerous tables and appendixes). Volumes I-III. have not yet appeared.

The Macmillan Company has issued a second revised edition of Dr. Emil Reich's *Foundations of Modern Europe* (1908, pp. 250). While no serious changes appear to have been introduced, the phraseology has been improved.

Albert Malet, professor of history at the Lycée Louis-le-Grand, has issued through the house of Hachette, Paris, a good, comprehensive compendium, *L'Histoire Contemporaine, 1789-1900* (pp. 708), with numerous illustrations, maps and plans.

The first number (March 15, 1908) of the monthly *Revue de Hongrie*, organ of the French Literary Society of Budapest, contains an article on *La Révolution Française et la Hongrie, 1790*, by Professor H. Marczali, of the University of Budapest.

Mr. Frederic Harrison has collected into a volume entitled *National and Social Problems* (Macmillan, 1908, pp. 450) seventeen essays, published at intervals during the last fifty years. Those of especial interest to historical students deal with various problems and aspects of im-



perialism, with France after the Franco-German war, and with the making of Italy. Each is prefaced by a brief statement of the circumstances under which it was written, and a general introduction to the volume explains the author's point of view.

An account of British and Russian policy in Afghanistan, Persia, Arabia and Tibet is given by Dr. Rouire in *La Rivalité Anglo-Russe au XIX<sup>e</sup> Siècle en Asie* (Paris, A. Colin). The author also discusses the gains and losses to both states from the Anglo-Russian Convention. Most of the book has appeared in the *Revue des Deux Mondes*.

Professor Giuseppe Cugnoni has published the *Piano di Riforma umiliato a Pio VII. dal Cardinale G. A. Sala* (Tolentino, Filelfo, 1907, pp. 507), which has been rediscovered in the Vatican archives and is now first printed in full.

Dr. Gottlob Egelhaaf, rector of the Karlsgymnasium, Stuttgart, has published a *Geschichte der Neuesten Zeit vom Frankfurter Frieden bis zur Gegenwart* (Stuttgart, Krabbe, 1908, pp. viii, 452), which contains a condensed account of the chief events from 1871 to February of the present year. A very full index increases the value of the book as a work of reference.

*Neutral Rights and Obligations in the Anglo-Boer War*, by Robert Granville Campbell, is the latest issue of the Johns Hopkins University Studies (pp. vii, 149).

Noteworthy articles in periodicals: L. Lallemand, *Les Maladies Épidémiques en Europe du XVI<sup>e</sup> au XIX<sup>e</sup> Siècle*, I. (*Revue des Questions Historiques*, April); L. Cardauns, *Paul III., Karl V. und Franz I. in den Jahren 1535 und 1536* (*Quellen und Forschungen*, XI, 1); N. Japikse, *Louis XIV. et la Guerre Anglo-Hollandaise, 1665-1667* (*Revue Historique*, May-June); G. Pagès, *À propos de la Guerre Anglo-Hollandaise de 1665-1667* (*Revue Historique*, May-June); R. Durand, *Louis XIV. et Jacques II. à la Veille de la Révolution de 1689. Les trois Missions de Bonrepaus en Angleterre, 1686-1688*, I. (*Revue d'Histoire Moderne et Contemporaine*, March); Gustave de Roszkowski, *La Paix de Portsmouth* (*Revue de Droit International*, X, 2, 1908).

#### GREAT BRITAIN AND IRELAND

A fourth revised edition of Professor D. J. Medley's admirable handbook, *A Student's Manual of English Constitutional History*, has been issued through the house of Simpkin (1908, pp. xxviii, 650).

Under the title *Táin Bó Cuáinge*, M. H. d'Arbois de Jubainville, of the Institute, has issued through the house of Champion, Paris (1907, pp. 84), the first fascicle of his translation of the Cuchulainn Saga, the oldest epic of Western Europe. A German translation with the text was published by E. Windisch in 1905.

The Macmillan Company is issuing the sixth and concluding volume of Sir Walter Besant's *Survey of London*, which deals with the city in Roman, Saxon and Norman times.

The Society for Promoting Christian Knowledge has published a volume on *Scandinavian Britain* by W. G. Collingwood, with an introductory chapter by F. York Powell.

*Agricultural Writers, from Sir Walter of Henley to Arthur Young, 1200-1800* (London, H. Cox, 1908, pp. 228) by Dr. D. McDonald, fellow of the Linnean Society, gives an account of the various writers, with a great number of facsimile pages, title-pages and extracts from their works. The book is based upon articles which appeared in the *Field*, 1903-1907.

G. G. Coulton, author of *From St. Francis to Dante*, and other studies in medieval history, is publishing through Methuen a book on *Chaucer and his England*, which deals not only with the poet but with the whole society of his day.

A. M. Burke's *Key to the Ancient Parish Registers of England and Wales* (The Sackville Press, 1908, pp. 163) contains an historical and general account of the registers and an index to those in England and Wales of earlier date than 1813, giving date and earliest entry, with notes showing which have been printed, etc.

Despite its title, *The Romance of George Villiers, First Duke of Buckingham*, by Philip Gibbs (Methuen), is a serious historical monograph.

Longmans announce a volume on *Henry Stuart, Cardinal of York, and his Times*, by Miss Alice Shield, with a preface by Mr. Andrew Lang, who collaborated with the same writer in the study of *The King over the Water*, noted in our last issue.

Colonel Hugh Pearse has written a *Memoir of the Life and Military Services of Viscount Lake, Baron Lake of Delhi and Laswaree, 1744-1808* (Blackwood, pp. 431), who served in America, commanded a brigade against the French in Holland, and was commander-in-chief in Ireland and in India.

In the *Memoirs of Field-Marshal Sir Henry Wylie Norman* (London, Smith Elder, 1908) Sir William Lee-Warner records the career of one who played an important part at the siege of Delhi, continued in the field till the close of the Mutiny, helped to reorganize the Indian army, and later became governor of Jamaica and Queensland.

Professor C. Sanford Terry of the University of Aberdeen has compiled an index to the papers relating to Scotland described or calendared in the *Historical Manuscripts Commission Reports*. The work, which is being published by Messrs. Maclehose, will be uniform in size with the reports, and will contain, besides the index, short descriptive notes of the Scottish papers in the series.

The fifth volume of *The Original Chronicle of Andrew of Wyntoun* (Edinburgh, Blackwood), excellently edited by F. J. Amours, deals with Scottish history from 1165 to 1335.

The first volume of the scholarly history of *The Archbishops of St. Andrews* (Edinburgh, Blackwood), by Professor John Herkless and Mr.

R. K. Hannay, makes clear the state of the primatial see in the century before the Reformation.

British government publications: L. O. Pike, *Year-Books of the Reign of King Edward III., Year XX., Part I.; Caiendar of the Close Rolls, Edward III., 1354-1360; Register of the Privy Council (Scotland), VIII., 1544-1660; House of Lords Manuscripts, 1699-1702.*

Other documentary publications: F. W. Maitland and G. J. Turner, *Year-Books of Edward II., vol. IV., 3 and 4 Edward II.* [Selden Society Publications]; C. H. Firth, *Naval Songs and Ballads* (1908, pp. cxxiii, 387) [Publications of the Navy Records Society, XXXIII.]; J. H. Pollen, *Unpublished Documents relating to the English Martyrs, I., 1584-1603* [Catholic Record Society]; W. Foster, *The English Factories in India, 1622-1623*, a calendar of documents in the India Office and British Museum (Oxford, Clarendon Press, 1908, pp. xl, 389); D. Littlejohn, *Records of the Sheriff Court of Aberdeenshire, III., 1642-1660* [New Spalding Club].

Noteworthy articles in periodicals: F. M. Powicke, *The Chancery during the Minority of Henry III.* (English Historical Review, April); Stella Kramer, *The Amalgamation of the English Mercantile Crafts, II.* (English Historical Review, April); J. B. Williams, *The Newsbooks and Letters of News of the Restoration* (English Historical Review, April); William Pitt, *Earl of Chatham* (Edinburgh Review, April); Theodora Keith, *Economic Condition of Scotland under the Commonwealth and the Protectorate* (Scottish Historical Review, April); Edmund Curtis, *The English and Ostmen in Ireland* (English Historical Review, April).

#### FRANCE

Louis Dimier's two volumes on *Les Préjugés Ennemis de l'Histoire de France* (Librairie Nationale, 1908) relate to the effect of the counter-revolution on national feeling toward the historic past, and attack the democratic prejudice against the kingly office; the economic prejudice against the work of military power; and the feudal prejudice against administrative order. The various revolutionary religious sects and modern criticism of such matters as taxation, *lettres de cachet*, English liberties, etc., are considered. An earlier work by the same author is *Les Maîtres de la Contre-Révolution au Dix-Neuvième Siècle*, treating of Maistre, Taine, Renan, Fustel de Coulanges, Le Play, and others.

A work which promises to be of great value is M. J. Déchelette's *Manuel d'Archéologie Préhistorique, Celtique, et Gallo-Romaine*, of which the first volume, *Archéologie Préhistorique* (Paris, Picard, 1908, pp. 743), indicates the large advances recently made in our knowledge of the inhabitants of Gaul during the Stone Age. Bibliographical references and illustrations are abundant.

A translation of Anatole France's *Joan of Arc* will be issued by Mr. John Lane.

Several historical workers are engaged in collecting and publishing

the documents pertaining to the administration of papal finances in various dioceses and provinces of France in the fifteenth and sixteenth centuries. A collection of this character has been made by Abbé Vaucelle, and issued by Picard under the title *Les Annales du Diocèse de Tours de 1421 à 1521* (pp. 107).

A monograph on *L'Université de Caen à la Fin du XVI<sup>e</sup> Siècle* (Caen, Delesques, 1908, pp. 88) by M. Henri Prentout, professor at the University of Caen, is an instructive discussion of the influence of the counter-reformation and of parliamentary reforms upon the university between 1564 and 1608. Among the topics treated are the relation of the university to the local and central authorities, the men who shaped its policy, pedagogical ideas of the period, and the budget of the university.

*Chaligny, ses Seigneurs et son Comté* (Nancy, Crepin-Leblond, 1907, pp. 582), a careful monograph by P. Fournier, includes a thorough study of the economic history of the place, which throws light on conditions in Lorraine, especially in the seventeenth and eighteenth centuries.

M. Gabriel de Mun's study of *Richelieu et la Maison de Savoie* (Paris, Plon) throws new light on a chapter of diplomatic history.

*Die Memoiren des Marquis d'Argenson*, by Dr. Karl Durand, forms the sixth *Heft* in Professors von Below, Finke and Meinecke's *Abhandlungen zur Mittleren und Neueren Geschichte* (Berlin, Rothschild, 1908, pp. vi, 100).

M. Paul Gaffarel has published a well-documented précis of *La Politique Coloniale en France de 1789 à 1830* (Paris, Alcan, 1908, pp. 496).

In Amédée Vialay's important work, *La Vente des Biens Nationaux pendant la Révolution Française* (Paris, Perrin, 1908), the author treats his subject from the legislative, economic and social points of view.

The Society for the History of the French Revolution has appointed MM. M. Tourneux, P. Robiquet and P. Caron a committee to study and report on the question of Louis XVII.-Naundorff.

The Comte Vandal's excellent work, *L'Avènement de Bonaparte* (Paris, Plon, two volumes), embraces the brief period from the military disasters of the Directory to the victory of Marengo.

M. Octave Festy's *Le Mouvement Ouvrier au Début de la Monarchie de Juillet (1830-1834)* (Paris, Cornély), is a recent addition to the Bibliothèque d'Histoire Moderne, published under the auspices of the Society of Modern History.

André Lebey's *Louis Napoléon Bonaparte et la Révolution de 1848* is from unpublished sources.

The twelfth and concluding volume of the *Histoire Socialiste* (Paris, Rouff), published under the direction of M. Jean Jaurès, consists of two parts: "La Troisième République (1871-1900)" by M. J. Labusquière and "La Conclusion. Le Bilan Social du XIX<sup>e</sup> Siècle" by M.

Jaurès. An analytical index to the entire history will soon be issued.

Documentary publications: A. Chuquet, *Souvenirs du Baron de Frénilly, Pair de France (1768-1828)* (Paris, Plon, 1908, pp. xix, 564); *Mémoires et Correspondance de Louis Rossel, 1844-1871* (Paris, Stock, 1908 pp. 600). [Rossel was chief of staff to the Commune.]

Noteworthy articles in periodicals: J. Nouaillac, *Le Règne de Henri IV. (1589-1610). Sources, Travaux et Questions à traiter*, concl. (Revue d'Histoire Moderne et Contemporaine, February); P. de Vaisière, *Grimm et la Révolution Française* (Revue des Questions Historiques, April); F. Galabert, *Le Club de Montauban pendant la Constituante. Son Organisation, son Rôle dans l'Administration Locale*, I. (Revue d'Histoire Moderne et Contemporaine, March); H. Carré, *L'Assemblée Constituante et la "Mise en Vacances" des Parlements, Novembre 1789-Janvier 1790*, concl. (Revue d'Histoire Moderne et Contemporaine, February); A. Chuquet, *Les Orateurs de la Constituante, d'après Camille Desmoulins* (Revue Bleue, May 2); *Recent Napoleonic Literature* (Quarterly Review, April).

#### ITALY, SPAIN

The Cardinal Secretary of State has sent to the bishops of Italy a circular letter establishing regulations for the preservation of the documents, monuments and sacred objects confided to the care of the clergy in the various dioceses. Each bishop is to appoint a "Commissariato permanente pei Documenti e Monumenti Custoditi dal Clero." Catalogues of the documents preserved in the ecclesiastical archives of the diocese, as well as of other valuables, are to be compiled.

The house of Loescher, Rome, has in press the first supplement to the first volume of E. Calvi's *Bibliografia Generale di Roma*. The supplement, like the first volume, covers the medieval period and it also has an appendix on the catacombs and on the churches of Rome.

In Professor Lamprecht's *Allgemeine Staatengeschichte: Geschichte der europäischen Staaten*, L. M. Hartmann has issued the first half of the third volume of his *Geschichte Italiens im Mittelalter*, entitled *Italien und die fränkische Herrschaft* (Gotha, Perthes, 1908, pp. ix, 309).

In Mr. J. Wood Brown's interesting book, *The Builders of Florence* (Dutton), the author traces the evolution of the city from its beginnings to the sixteenth century. A notable feature of the work is the historical explanation of architectural development.

Mr. H. C. Hollway-Calthrop's biography of *Petrarch: His Life and Times* (Putnams) is based upon the Italian sources, especially upon Fracassetti.

The third volume of the *Codex Diplomaticus Ord. E.S. Augustini Papiæ* (Rome, Loescher, 1907), edited by R. Maiocchi and N. Casacca, contains a large number of documents, not previously published, important for the history of Pavia and Lombardy from 1501 to 1566.

The first volume of this series, issued in 1905, began with documents of the year 1258. The work will be complete in six volumes.

G. Bonelli has rediscovered the papers of Monsignor Stella, bishop of Brescia in the sixteenth century and formerly Cardinal Pole's agent at Rome, which include letters and memoirs relative to the affairs of France and England from 1515 to 1570, letters to Cardinal Pole, correspondence of the agent Michele Facchetti (1559-1564) on Italian affairs, besides documents relating to the history of Brescia and to the bishop's family. A catalogue of some of these manuscripts has appeared in *Archivio Storico Lombardo*, series 4, fascicle 16, December 31, 1907.

In C. Grimaldi's work on *Giorgio Pisani e il suo Tentativo di Riforma* (Venice, Callegui, 1907), the author has constructed from manuscript sources an account of a Venetian aristocrat of the latter part of the eighteenth century, of his political ideas, and of the society of malcontents whom he led.

Signor Alessandro Luzio has recast and completed his valuable contribution to the history of Italian unification, *I Martiri di Belfiore* (Milan, Cogliati), first published three years ago. The work includes many letters, journals and official documents.

F. Guardione's two-volume work, *La Rivoluzione di Messina contro la Spagna* (Palermo, Reber, 1907), contains 212 documents drawn from Spanish archives and from those of Palermo.

Noteworthy articles in periodicals: F. Schneider, *Toscanische Studien*, I. (Quellen und Forschungen, XI. 1); H. Otto, *Eine Briefsammlung vornehmlich zur Geschichte italienischer Kommunen in der zweiten Hälfte des Mittelalters* (Quellen und Forschungen, XI. 1); M. Antonelli, *La Dominazione Pontificia nel Patrimonio negli Ultimi Venti Anni del Periodo Avignonese*, con. (Archivio della R. Società Romana, XXX. 2-4); Moritz Brosch, *Albizi und Medici* (Historische Vierteljahrschrift, March); Eduard Fueter, *Guicciardini als Historiker* (Historische Zeitschrift, C. 3); J. Rambaud, *L'Église de Naples sous la Domination Napoléonienne* (Revue d'Histoire Ecclésiastique, April); G. de Grandmaison, *Les Débuts de Joseph Bonaparte à Madrid (January-April, 1809)* (Revue des Questions Historiques, April); A. Luchaire, *Un Roi Anticlérical: Le Portugais Sanche I<sup>er</sup>*. (Revue Bleue, March 7).

#### GERMANY, AUSTRIA, SWITZERLAND

The report of the Prussian Historical Institute in Rome for the year 1907-1908 is printed in *Quellen und Forschungen*, XI. 1. The Institute has in hand five large undertakings. In the first of these, the collection of *Nuntiaturberichte*, the tenth volume of the first series has been issued, as noted in our October number (p. 216); in the same series, the first division of the fifth volume, the nuntiature of Morone and the legations of Farnese and Cervini, is nearly printed but will not be issued until the completion of the second division. In the third

series, the fifth volume, the concluding year of the South German nuntiature of Portia, will be published during the present summer. The Prague *Nuntiaturberichte* of 1603-1606 are nearly ready for the press. The second undertaking, the *Repertorium Germanicum*, II., which is expected to go to press at the beginning of next year, contains materials relating to the anti-Pope Clement VII., edited by Dr. Göller. In pursuance of the third undertaking, the systematic examination of Italian archives and libraries, it is proposed to examine the Angevin registers in Naples, which contain rich material for the history of the Hohenstaufens in South Italy. Investigations of Tuscan archives are nearly concluded, and progress has been made in the series of *Regesta Chartarum Italiae*, a volume of which was published during the year. The fourth undertaking, the investigation of the monuments of Hohenstaufen art in South Italy, was furthered by the labors of Dr. Haseloff and others; and the fifth project, a study of the transmission and contents of old Christian literature before Eusebius, has been entrusted to Licentiate Freiherr von Soden. Of individual investigations, Dr. Göller's first volume on the history of the papal penitentiary is reviewed in the present number of this journal; and Dr. A. O. Meyer has in press the first division of his important work, *England und die katholische Kirche unter Elisabeth*.

The Hessian government has recently created an Historical Commission for the Grand Duchy of Hesse. Among its projects are the preparation of a *Codex Diplomaticus* of Mayence, an edition of the *Codex Laurenschamensis*, the publication of an atlas and an historical bibliography of Hesse, the continuation of the *Hessische Gelehrten-geschichte*, etc.

Dr. Bruno Krusch, state archivist, has contributed a *Geschichte des Staatsarchivs zu Breslau* (1908, pp. viii, 348) to the series of *Mitteilungen der K. Preussischen Archivverwaltung* (Leipzig, Hirzel).

Recent numbers in the *Abhandlungen zur Mittleren und Neueren Geschichte*, edited by Professors von Below, Finke and Meinecke (Berlin, Rothschild, 1908), are: *Der Lehrerstand des 18. Jahrhunderts im vorderösterreichischen Breisgau. Ein Beitrag zur österreichischen und deutschen Volksschulgeschichte*, by Dr. Max Moser (pp. xx, 225); *Die Lage Tirols zu Ausgang des Mittelalters und die Ursachen des Bauernkrieges*, by Dr. H. Wopfner (pp. xvi, 232); and *Zur Entstehung der Verfassung bairisch-österreichischer Städte*, by J. Lahusen (pp. vii, 78).

Dr. Ernst Seraphim, who in collaboration with A. Seraphim wrote *Geschichte Liv-, Esth-, und Kurlands*, has published a *Baltische Geschichte im Grundriss* (Reval, F. Klunge, 1908, pp. vii, 418), covering the whole history of the German Baltic provinces, especially the struggle attending their Germanization.

The third *Ergänzungsheft* of the periodical *Archiv für Kulturgeschichte*, is *Die Reformation des Kaisers Sigmund*, edited by Dr. H.



Werner (Berlin, Duncker, 1908, pp. lviii, 113), and described as the first German *Reformschrift* written by a layman before Luther.

M. Albert Waddington, professor at Lyons, has published the second and concluding volume of *Le Grand Electeur Frédéric-Guillaume de Brandebourg* (Paris, Plon), devoted to the Great Elector's foreign policy from 1660 to 1688.

The Macmillan Company is to publish a series of brief biographies on modern Germany edited by Professors Sidney B. Fay and Guy S. Ford. The first volumes will be *The Great Elector* by S. B. Fay, *Frederick William I.* by R. C. H. Catterall, *Frederick the Great* by E. F. Henderson, *Freiherr vom Stein* by G. S. Ford, and *Emperor William II.* by Burt Estes Howard.

Three new volumes have recently been added to the *Acta Borussica*, a collection whose history, aims and progress are fully set forth by its principal director, Professor G. Schmoller, in his *Nachrichten über die Acta Borussica* (Berlin, Parey, 1908, pp. 15). It is twenty years since the Prussian Academy of Sciences, which had then completed the issue of the *Œuvres de Frédéric le Grand* in thirty volumes, and had begun to publish the political correspondence of Frederick the Great and Prussian *Staatsschriften* of his time, determined upon a comprehensive collection relating to the internal administration of the Prussian State in the eighteenth century, entitled *Acta Borussica: Denkmäler der Preussischen Staatsverwaltung im 18. Jahrhundert*. The collection comprises two divisions, one dealing with state administration and bearing the general title, *Die Behördenorganisation und die Allgemeine Staatsverwaltung Preussens im 18. Jahrhundert*; and a second division, without general title, devoted to various phases of the economic history of the period. Each division includes both documentary and descriptive volumes. Up to the present year the following volumes had been issued: in the first division, volumes I.-IV. and VI.b.-VIII., containing documentary material of the years 1701-1723 and 1740-1750, and a descriptive volume, VI.a; in the second division, two descriptive volumes on the grain-trade policy of Europe and Prussia, one on the Prussian system of minting and coinage, and three volumes, two documentary and one descriptive, on the Prussian silk industry. The three latest volumes belong to the first division, and are IV.a. and b., *Akten, 1723-1729*, edited by G. Schmoller and W. Stolze (Berlin, Parey, 1908, pp. vii, 884, 571), and IX., *Akten, 1750-1753*, edited by G. Schmoller and O. Hintze (1908, pp. 891).

Under the title *Weltbürgertum und Nationalstaat* (Munich, Oldenbourg, pp. 498), Friedrich Meinecke, editor of the *Historische Zeitschrift*, has published some studies on the genesis of the German national state.

Dr. Oscar Stillich has undertaken a work in five volumes on *Die Politischen Parteien in Deutschland* (Leipzig, Klinkhardt). The first volume aims at giving a scientific account of the principles and historical development of the Conservatives.



The *Bulletin de la Société d'Histoire et d'Archéologie de Genève* (III. 2) includes in addition to abstracts of several of the papers read at the sessions of 1906-1907, an illustrated article à propos of certain tombs discovered at Cessy near Gex, believed to date from the period of the barbarian invasions.

Noteworthy articles in periodicals: G. Dehio, *Deutsche Kunstgeschichte und deutsche Geschichte* (Historische Zeitschrift, C. 3); Andrew D. White, *The Statesmanship of Stein*, I. (Atlantic Monthly, May); E. Salzer, *Fürst Chlodwig zu Hohenlohe-Schillingsfürst und die deutsche Frage* (Historische Vierteljahrschrift, March).

#### NETHERLANDS AND BELGIUM

The latest volume of reports of the meetings of the Division of Letters of the Royal Academy of Sciences of Amsterdam contains two historical articles. In the first Professor Blok discusses propositions made to Lord Castlereagh in 1813 by the Prince of Orange, later King William I., which formed the basis of the political arrangements made by the powers in the following years. In the second paper G. Heymans discusses history considered as a science.

The volume *Handelingen en Mededeelingen van de Maatschappij der Nederlandsche Letterkunde te Leiden, 1906-1907* (Leyden, Brill, 1907, pp. iv, 156), contains a paper by Professor Pijper on Erasmus and the Reformation in the Netherlands, and an article by Professor P. J. Blok on the negotiations between William III. and England in 1672, in which some documents found in London have been for the first time utilized.

Professor E. Heyck has contributed to the richly illustrated series of *Monographien zur Weltgeschichte*, of which he is the editor, a volume on *Wilhelm von Oranien und die Entstehung der Freien Niederlande* (Leipzig, Velhagen and Klasing).

Professor William I. Hull of Swarthmore College, in the course of investigations into the history of the Society of Friends in the Netherlands, discovered in a vault at Devonshire House the minutes of the monthly meetings of Friesland throughout the period from 1677 to 1701, a portion of the missing records of the Dutch Friends, long sought by others.

Father van den Gheyn, conservator of manuscripts at the Royal Library of Belgium, has compiled an *Album Belge de Paléographie*, a collection of facsimiles of Belgian manuscripts and of the writings of Belgian authors, from the seventh to the sixteenth century. M. H. Pirenne, of the University of Ghent, has prepared an album of charters of the Belgian provinces, the first work of its kind.

Dr. L. Van der Essen's *Étude Critique et Littéraire sur les Vies des Saints Mérovingiens de l'Ancienne Belgique* (Paris, Fontemoing, 1907, pp. 447), a Louvain treatise, is a work of the highest scholarship, and of excellent literary form. The hagiographic productions of each

of the ancient dioceses of Belgium are studied in succession for the purpose of examining in each life the development of the legendary element, and the literary processes employed by the hagiographers. The author has in preparation a supplementary volume on *La Formation et le Développement de l'Hagiographie Mérovingienne en Belgique*.

Documentary publications: G. Brom, *Regesten van Oorkonden betreffende het Sticht Utrecht (694-1301)* (Utrecht, A. Oosthoek); M. Schoengen, *Jacobus Trajecti, alias de Voeght, Narratio de Inchoatione Domus Clericorum in Zwollis, met Acten en Bescheiden betreffende dit Fraterhuis* (Amsterdam, J. Müller, 1908, pp. ccxiv, 682). [Important for the history of the religious movement of the Netherlands in the fourteenth and fifteenth centuries.]

#### NORTHERN AND EASTERN EUROPE

The concluding volume (II., part II., of the second series) of the *Regesta Diplomatica Historiae Danicae* appeared in 1907. The character of this great work is indicated by its subtitle: *Index Chronologicus Diplomatum et Litterarum Historiam Danicam inde ab Antiquissimis Temporibus usque ad Annum 1660 illustrantium, quae in Libris hactenus editis vulgatae sunt, cura Societatis Regiae Scientiarum Danicae*. It contains a résumé of the documents, with full bibliographical indications.

The second volume of the *Acta Pontificum Danica: Pavelige Aktstykker vedrørende Danmark, 1316-1536*, issued at the expense of the Carlsberg Foundation, and edited by A. Krarup and J. Lindbaek, is a calendar to the documents in the Vatican archives relating to Denmark and dating from 1378 to 1431. The most important texts are given *in extenso*.

The Academy of Letters of Cracow is publishing, through the house of Champion, Paris, a collection of facsimiles of charters and diplomas, reproduced in heliogravures, entitled *Monumenta Poloniae Paleographica*, edited by Stanislaus Krzyżanowsky. The work will consist of five or six parts, of which the first contains twenty-seven plates.

The diaries and letters of the last king of Poland, Stanislaus Poniatowsky, which remained for many years sealed in the archives of the Russian Foreign Office until the present Tsar sanctioned their use, have been published in the January number of *Vestnik Evropy*.

The second volume of the *Geschichte Russlands unter Kaiser Nikolaus I.*, by T. Schiemann (Berlin, Reimer, 1908, pp. xiv, 521), extends from the death of Alexander I. to the Revolution of July.

Under the title *Memoirs of a Russian Governor*, Harpers have published a translation by Mr. H. Rosenthal of the memoirs of Prince Urussov, governor of Bessarabia in 1903-1904.

The Bulgarian Archaeological Society, founded in 1901, has just published its first report (Varna, Tabakov, 1907, pp. 63).

A new edition of Sir Charles Eliot's *Turkey in Europe*, with an ad-

ditional chapter on the events from 1869 to the present day, has been published by Longmans.

M. Charles Diehl, professor of Byzantine history at the University of Paris, has published, through Armand Colin, a second series of *Figures Byzantines*. The contents of the volume are: Byzance et l'Occident à l'Époque des Croisades; Anne Comnène; Irène Doukas; Les Aventures d'Andronic Comnène; Un Poète de Cour; Princesses d'Occident; À la Cour des Comnènes et des Paléologues; Deux Romans de Chevalerie Byzantins.

In the *Sitzungsberichte* of the Bavarian Academy, phil.-hist. Kl. (Munich, G. Franz, 1908), Professor Hans Prutz has a paper on *Die Anfänge der Hospitaliter auf Rhodos, 1310-1355* (pp. 57).

### AMERICA

#### GENERAL ITEMS

The annual bibliography entitled *Writings on American History, 1906*, the progress of whose preparation has been mentioned before in these pages, will probably appear soon after the issue of this number of the REVIEW. It has been prepared by Miss Grace G. Griffin and is published by the Macmillan Company. Its plan so closely resembles that of the volume for 1903, issued by Professor McLaughlin, that a formal review seems unnecessary. The volume for 1907 is in an advanced state of preparation and may be expected to appear about the end of 1908.

The main work upon which the Department of Economic Research in the Carnegie Institution of Washington has been engaged will, it is now understood, take the form of a series of twelve volumes bearing the general title *Contributions to American Economic History*. The titles of the individual volumes will be substantially the following: Volume I. Population and Immigration; II. Agriculture and Forestry, including Public Domain and Irrigation; III. Mining; IV. Manufactures; V. Transportation; VI. Domestic and Foreign Commerce; VII. Money and Banking; VIII. The Labor Movement; IX. Industrial Organization; X. Social Legislation; XI. Federal and State Finance; XII. The Negro in Slavery and Freedom. Royal octavo volumes of not more than five hundred pages are intended; some of those designated above may have to be brought out in two or more parts.

At the meeting of the Mississippi Valley Historical Association at Lake Minnetonka, Minnesota, on June 22 and 23, there were a number of valuable papers, discussions and conferences. We mention a few of the papers which possess a wider interest: "The Exploration of Vérendrye and his Sons", by Dr. Warren Upham; "The British Board of Trade and the American Colonies", by Professor O. M. Dickerson; "Slavery as a Factor in Missouri History", by Professor Jonas Viles. The most noteworthy discussion was upon the question of co-operation among the historical agencies and activities of the Mississippi Valley.

The American Jewish Historical Society held its sixteenth annual meeting in New York City on May 17. The annual address was delivered by President Cyrus Adler. Other addresses were as follows: "The Jews of New Jersey from the Earliest Times to 1850", by Albert M. Friedenberg; "Why this is not a Christian Country", by Dr. Herbert Friedenwald; "Additional Notes on the History of the Jews in Surinam", by Rev. P. A. Hilfman; "Some Additional Notes on the History of the Jews of Georgia in Colonial Times", "Some Jewish Associates of John Brown", by Leon Hühner; "Roderigo Lopez, Queen Elizabeth's Physician, and his Relations to America", and "Phases of Jewish Life in New York before 1800", III., by Max J. Kohler.

The National Society of the Colonial Dames of America has permanently adopted the policy of historical publication, constituting the returns from Miss Kimball's *Correspondence of William Pitt* into a fund for the purpose, and adding to that fund a sum with which they plan to publish other works, perhaps the papers and correspondence of Richard Henry Lee. Mrs. Annie L. Sioussat remains chairman of the committee of the society charged with this branch of its activities.

In the series of *Original Narratives of Early American History* (Scribner) two volumes were published early in June, the seventh and eighth of the series, embracing the text of Governor John Winthrop's *Journal*, carefully edited by Dr. James K. Hosmer.

Three useful bibliographies have just been issued by the Library of Congress, compiled under the direction of A. P. C. Griffin, Chief Bibliographer. They are: *List of Works relating to Deep Waterways from the Great Lakes to the Atlantic Ocean* (pp. 59); *A List of Works relating to the First and Second Banks of the United States, with chronological list of reports, etc., contained in the American State Papers and in the Congressional documents* (pp. 47); and *Select List of Books, with references to periodicals, relating to Currency and Banking, with special regard to recent conditions* (pp. 93).

Mr. P. Lee Phillips of the Division of Maps and Charts in the Library of Congress proposes to issue a facsimile reproduction of John Filson's map of Kentucky, of which but six copies are known. This he will probably follow with reproductions of Augustine Herman's map of Virginia from the unique copy in the British Museum, of Bernard Romans's map of Florida from the unique copy in the Library of Congress, and of other rare maps. Of the Filson issue there will be two hundred copies for sale (Washington, Lowdermilk), small quarto books including about twenty pages of letter-press.

The volume of *Proceedings of the American Political Science Association* at its fourth annual meeting held at Madison, Wisconsin, December 27-31, 1907 (Baltimore, The Waverly Press, pp. 339), is devoted to a variety of topics: "Latin American Republics", "Colonial Government", "The Making and Revision of Law", "The Newer Institutional Forms of Democracy", "The Administration of Justice", "Public

Service Commissions". All of the papers deal primarily with existing conditions and important present-day problems, but some are of partly historical character, such as "Some Merits and Defects of the French Colonial System", by Professor W. B. Munro.

The *Proceedings and Papers*, volume I., part II. (1906-1907), of the Bibliographical Society of America has been issued by the society. The papers of chief interest to the historical student are these: "Bibliographical Activities of Historical Societies of the United States", by Dr. R. G. Thwaites; a list of "Bibliographies published by Historical Societies of the United States", prepared by Isaac S. Bradley of the Wisconsin State Historical Society; and "The Need of a Bibliography of American Colonial Newspapers", by Clarence S. Brigham of the Rhode Island Historical Society.

The March number of the *Annals of the American Academy of Political and Social Science* bears the general title "Lessons of the Financial Crisis", and comprises some eighteen papers treating various phases of the subject. The issue for May is devoted to "Control of Municipal Public Service Corporations". Somewhat apart from the main theme of the number is the paper by Dr. W. F. Dodd on "The Finances of the District of Columbia", a résumé of the financial history of the district since 1871.

Dr. F. C. Clark's paper entitled "The Maryland Episode", begun in the November issue of the *Magazine of History*, is continued in the issue for December. Of the contents of the January number of that periodical may be noted a paper on "Privateering in the Revolution", by the late Samuel Roads, Jr.; a first paper on "Fenianism and Fenian Raids in Vermont", by the late Edward A. Sowles (continued in the February number); and the second paper of Rev. W. W. Beauchamp on "The Moravians at Onondaga". In the February number Walter H. Crockett gives some account of Vermont soldiers in the Revolution. Of the "Original Documents", the letter of Colonel William Campbell to Rev. Charles Cummings, dated March 28, 1781, relating to the battle of Guilford Court House, deserves mention.

Messrs. Ainsworth and Company of Chicago announce as forthcoming a new volume on American history by Professor H. W. Caldwell of the University of Nebraska. The book is intended for advanced work in high schools.

Three or four years ago Mrs. Catherine Seipp of Chicago offered a prize of three thousand dollars for the best essay on the history of the German element in the United States, with especial reference to its political, social, moral and educational influence. This prize has now been awarded to Professor Albert B. Faust of Cornell University.

Mr. F. J. Stimson's recently published work, *The Law of the Federal and State Constitutions of the United States, with an Historical Study of their Principles*, embodies a comparative analysis of all the state constitutions. It includes also a chronological table of English social legislation.

*The Labor Contract from Individual to Collective Bargaining* (Bulletin of the University of Wisconsin No. 182, pp. 152), by Margaret A. Schaffner, is stated by the author to be preliminary to a larger study of collective bargaining upon which she is engaged. The present chapters treat the period lying between the close of the eighteenth and the beginning of the twentieth century, the period of transition from individual to organized industry in the United States. The study is based on documentary materials from a variety of sources, particularly the records kept in the central administrative offices of the labor unions, and also on personal investigations among employers and workmen.

The *Records* of the American Catholic Historical Society for December is almost entirely made up of letters from various archives. There are "Letters from the First Catholic Bishop of Charleston, South Carolina" (Dr. John England), 1821-1829; "A Collection of Old Letters from the Archives of Georgetown College" (among them: Bishop Carroll to John Hancock, 1791; Charles Carroll of Carrollton to Washington, 1798); "Excerpts from Letters in the Baltimore Archives" (1800-1812); "Correspondence between the Sees of Quebec and Baltimore" (35 pp., 1811-1848). The paper by Martin I. J. Griffin on "Asylum: a Colony of French Catholics in Bradford County, Pennsylvania, 1794-1800", concluded in this issue, contains a letter from Andrew Jackson to President Monroe, written from Pensacola, August 4, 1821, relating to the appointment of Fromentin as federal judge at Pensacola.

The fifth *Heft* in the *Beiträge zur Kultur- und Universalgeschichte*, edited by Professor Karl Lamprecht, is Dr. Ernst C. Meyer's *Wahlamt und Vorwahl in den Vereinigten Staaten von Nord-Amerika* (Leipzig, Voigtländer, 1908, pp. xxx, 210), a contribution to the constitutional history of the Union, especially to the history of the latest constitutional reforms.

The Macmillan Company are about to publish *The United States as a World Power*, by Professor A. C. Coolidge.

*Outline for Review: American History*, by Charles Bertram Newton and Edwin Bryant Treat (American Book Company, pp. 109), is one of the series of which the volumes for Greek, Roman and English history have been noticed in previous issues of this journal.

#### ITEMS ARRANGED IN CHRONOLOGICAL ORDER

The latest of the Filson Club Publications (no. 23) is *Traditions of the Earliest Visits of Foreigners to North America* (Louisville, John P. Morton and Company, 1908, pp. xxii, 179), by Colonel Reuben T. Durrett, president of the club. The book, which is illustrated with many engravings of Welsh scenery, is chiefly devoted to the traditions respecting the voyage of Prince Madoc and to those respecting the existence of colonies of Welshmen among the Indians of the Middle West. The book cannot be said to have advanced the former subject

beyond the point to which it was carried by Thomas Stephens's book, nor to have made the latter traditions credible by students of philology; but its object is entertainment rather than criticism.

Mr. Ludwig Rosenthal of Munich will publish a facsimile of the rare tract *Epistola Christofori Colom: de insulis Indie supra Gangem nuper inventis*, a fine copy of which was recently discovered by him.

*The Thirteen Colonies of North America, 1497 to 1763*, by Reginald W. Jeffery, is a comprehensive account of our colonial history by an Oxford historian (London, Methuen, pp. 308).

*Letters of Cortes: the Five Letters of Relation from Fernando Cortes to the Emperor Charles V.* (two volumes), translated and edited, with a biographical introduction and notes compiled from original sources, by Francis A. McNutt, has come from the press of Messrs. Putnam.

Of the proposed volumes of Colonial Entries in the Registers of the Privy Council, the transcript of all the material to be included in the first volume, down to 1688, is now completed.

The John Carter Brown Library has issued in facsimile *Three Proclamations concerning the Lottery for Virginia, 1613-1621*, with an introduction by G. P. Winship.

*British Committees, Commissions, and Councils of Trade and Plantations, 1622-1675* (Johns Hopkins University Studies, series xxvi., nos. 1-2-3, pp. 151), by Professor Charles M. Andrews, is a valuable study of a subject hitherto but very inadequately treated. The various commissions, councils, committees and boards appointed in the period named, for the supervision and management of trade, domestic, foreign and colonial, and for the general oversight of the colonies, are carefully studied in regard to both organization and activities. Several documents are printed: Instructions, Board of Trade, 1650; Instructions for the Council for Foreign Plantations, 1670-1672; Additional Instructions for the Council for Foreign Plantations, 1670-1672; Draft of Instructions for the Council of Trade and Plantations, 1672-1674; Heads of Business of Council, 1670-1674.

John Murray of London has published *Quaker and Courtier: the Life and Work of William Penn*, by Mrs. Colquhoun Grant.

*Defence of the Mecklenburg Declaration of Independence*, by J. H. Moore, has just been issued by Edwards and Broughton Printing Company, Raleigh.

Mr. Sidney George Fisher's *Struggle for American Independence* has now appeared.

*Rochambeau: a Commemoration by the Congress of the United States of America of the Services of the French Auxiliary Forces in the War of Independence*, prepared by authority of Congress under the direction of the Joint Committee on the Library, by DeB. Randolph Keim, is an attractive volume coming from the Government Printing Office. The work is an outcome of the erection of the Rochambeau



statue in Washington, unveiled in 1902, and some 225 of the 667 pages of the book are devoted to a history of those events. An account of the participation of France in the War of Independence, together with some personal history of Rochambeau, occupies about half of the volume. There are many portraits, and to the whole is appended a list of the works relating to the French alliance, by A. P. C. Griffin.

Professor Max Farrand's elaborate edition of the *Records of the Federal Convention of 1787* is in the hands of Messrs. Little, Brown and Company for immediate publication.

The Grafton Press have issued *Andrew Ellicott, his Life and Letters*, by Catharine Van Cortlandt Mathews. Ellicott was employed by the government in 1790 to survey and lay out the city of Washington, and as surveyor-general of the United States was concerned with some important boundary surveys.

The John P. Branch Historical Papers, issued by Randolph-Macon College under the editorship of Professor William E. Dodd, consists this year of a volume of about two hundred pages. Except for an article on General Hugh Mercer, it is occupied with a sketch of John Taylor of Caroline, by Professor Dodd, and a large amount of Taylor's correspondence of the period from 1793 to 1824.

Dr. S. H. Goodnight of the University of Wisconsin has made a study of the influence of Germany upon the cultural development of America in the first half of the nineteenth century, and his work, entitled *German Literature in American Magazines prior to 1846*, has been issued as *Bulletin of the University of Wisconsin No. 188* (pp. 264). More than half of the volume is occupied with a chronological list of the references to periodicals, beginning with the year 1800.

Mr. Gaillard Hunt of the Department of State has written a life of John C. Calhoun, which will be published shortly by George W. Jacobs and Company in their *Crisis* series.

The account of the expedition of Colonel A. W. Doniphan from New Mexico to Chihuahua, 1846-1847, prepared by W. E. Connelley and published by the Torch Press, Cedar Rapids, Iowa, includes a reprint of the narrative of Captain John T. Hughes, a member of the expedition, which was first published in 1847.

*The Life and Letters of George Bancroft*, by M. A. DeWolfe Howe, has recently come from the press of Scribner's Sons, and will be reviewed in the next issue of this journal.

The Illinois State Historical Society has issued separately *Abraham Lincoln in 1854*, an address delivered before the society, January 30, 1908, by Horace White.

Professor Henry P. Willis is preparing a volume on Stephen Douglas, to be published by George W. Jacobs and Company in their *American Crisis Biographies*. Professor Walter L. Fleming is preparing a volume on Andrew Johnson for the same series.

Mr. Louis Pelzer, of the State Historical Society of Iowa, is pre-



paring a biography of Augustus Caesar Dodge, the first United States Senator from Iowa and later United States Minister to Spain. The book will appear in the *Iowa Biographical Series*.

The first two volumes of Professor John Bassett Moore's *Works of James Buchanan* (Lippincott) have now appeared.

A third volume of papers relating to the Civil War has just been published by the Maine Commandery of the Military Order of the Loyal Legion. The papers are for the most part narratives of personal experiences. To mention only a few of them, Major-General J. L. Chamberlain describes the review of the Army of the Potomac at Washington at the close of the war; Major-General Henry C. Merriam contributes an account of the capture of Mobile; and General J. P. Cilley recounts the experiences of the First Maine Cavalry on the morning of the surrender of Appomattox.

The department of history and political science of West Virginia University has projected, under the general title: *West Virginia University Studies in American History*, a series of monographs on American diplomatic history and foreign policy. The first number treats of "Russo-American Relations during the American Civil War", the second and third of "The Alaska Purchase and Americo-Canadian Relations", all by Professor J. M. Callahan.

*Gold, Prices and Wages under the Greenback Standard*, by Wesley C. Mitchell (University of California Publications in Economics, volume I., Berkeley, the University Press, pp. xv, 627), is an elaborate statistical study of relative prices and wages as influenced by the monetary conditions of the period.

Former Senator William M. Stewart has published through Messrs. Neale of Washington a volume of *Reminiscences*.

#### LOCAL ITEMS ARRANGED IN GEOGRAPHICAL ORDER

The January-March issue of the *Granite State Magazine* contains an article by John C. French entitled "New Hampshire Men at Bunker Hill", and part one of a paper on "The Vermont Grants", by O. D. Clough.

Mr. Andrew McFarland Davis has reprinted from a forthcoming volume of the Colonial Society of Massachusetts a very interesting paper on "John Harvard's Life in America", in which are included many instructive details respecting social and political life in New England in 1637-1638.

The late Judge Mellen Chamberlain's *History of Chelsea*, completed by Miss Jenny Chamberlain Watts and Mr. William R. Cutter in accordance with arrangements previously mentioned in this journal (XIII. 423), has now been published in two volumes by the Massachusetts Historical Society.

The Associated Publishers of American Records, New Haven, announce a volume by Mr. T. W. Bicknell of Providence, entitled *Sowams*.

Sowams (now Barrington, Rhode Island) was the home of Massasoit and the location of the proprietary founded by Governor Bradford, the Winslows, Captain Myles Standish and others. Mr. Bicknell has discovered the original records in reference to the great sachem and those of the proprietary (1653-1797), and the latter, together with a chapter on proprietary titles, will be the chief feature of the book.

*The Life and Times of Samuel Gorton*, by Adelos Gorton, bears the imprint of G. S. Ferguson Company, Philadelphia.

Professor William C. Poland of Brown University has printed in a pamphlet an address on *Robert Feke, the Early Newport Portrait Painter, and the Beginnings of Colonial Painting*, which he read before the Rhode Island Historical Society. He would be glad of additional information respecting Feke or his works.

*Printers and Printing in Providence, 1762-1907*, compiled mainly by William Carroll, has been issued by the Providence Typographical Union.

The life of Francis Daniel Pastorius, by Professor Marion Dexter Learned, is continued in the issue of the *German American Annals* for March and April.

Mr. Richard D. Fisher has presented to the Maryland Historical Society a transcript (105 pp.) of a unique pamphlet in the British Public Record Office: *The Proceedings of the Committee Appointed to examine into the Importation of Goods by the brigantine Good Intent, Capt. Errington, from London, in February, 1770* (Annapolis, 1770). The preparation of the proceedings for the press was entrusted to Ebenezer Mackie, William Paca and Stephen West, the last mentioned, it would appear, being the principal author of the pamphlet.

The Virginia Historical Society has caused the transcripts of letters of Richard Henry Lee, bequeathed to the society by the late Mr. Cassius F. Lee, to be bound or mounted for more secure preservation. Under the auspices of the Association for the Preservation of Virginia Antiquities the memorial building at Jamestown Island, erected on the site of the church built there about 1617, was on May 13 dedicated, by Bishop Randolph and ministers of various churches, as a place of worship for all denominations.

As indicated in this department of the REVIEW for April the *Virginia Magazine of History and Biography* has now begun the publication of those portions of the "Randolph Manuscript" which have not hitherto found their way into print. The most important document from this collection which appears in the April number of the magazine is "The Last Charter for the Northern Neck" (September 27, 1688). The publication of abstracts and copies from the English records is resumed. Of the letters of Roger Atkinson, 1769-1776, contributed and edited by Dr. A. J. Morrison, that of October 1, 1774, characterizing the Virginia delegates to the Continental Congress, is of especial interest.

The *Bulletin of the Virginia State Library*, volume I., no. 2, issued in April, is a "Finding List of Biography" (pp. 131).

George W. Jacobs and Company have published *The History of Truro Parish in Virginia*, by Philip Slaughter, D.D., edited with notes and addenda by Rev. E. L. Godwin. The work is based on the vestry records of Truro Parish, which had been lost to sight for three quarters of a century and were recovered by Dr. Slaughter.

Mr. Henry A. M. Smith contributes to the January number of the *South Carolina Historical and Genealogical Magazine* a paper on "Charleston: the Original Plan and the Earliest Settlers", accompanied by a reproduction of a copy (made about 1725) of the original plan of Charles Town and by a list of the grantees, two documents rescued some years ago from imminent destruction. In the April issue Mr. Smith has a similar article on Georgetown. The magazine reprints (January) from the *Virginia Magazine of History and Biography* some letters of John Barnwell, giving an account of the Tuscarora expedition (1712), and continues through both numbers the series of miscellaneous papers and letters of Lafayette to Henry Laurens. The April number resumes the publication of "Abstracts from the Records of the Court of Ordinary of the Province of South Carolina, 1672-1700", and "South Carolina Gleanings in England".

*Leaves from my Historical Scrap Book*, second series, by Barnett A. Elzas (Charleston, 1908, pp. 42), includes some pages of selections from the index to historical material in the *Courier* which Dr. Elzas has for some time been preparing. This index, we understand, has now been completed. Other matters of interest in this pamphlet are: a "List of Persons Banished from Charles Town by the British in 1781", from the diary of Josiah Smith, Jr.; some reminiscences of Judah P. Benjamin, from the papers of the late Gabriel Manigault; a sketch of John Henry and a speech made by him on a motion for his expulsion from the legislature of North Carolina in 1809.

Mr. G. W. J. De Renne of Wormsloe, Savannah, has printed in two volumes the autobiographical manuscript which Governor Wilson Lumpkin of Georgia left behind him, entitled *Incidents Connected with the Life of Wilson Lumpkin*. The book, which is of great importance to the history of Georgia politics and of the removal of the Cherokees from the state, is privately printed, but some copies are for sale by Messrs. Dodd, Mead and Company.

*The True Story of Andersonville Prison: a Defense of Major Henry Wirz* comes from the press of the Neale Publishing Company and is the work of J. M. Page in collaboration with M. J. Haley.

The Mississippi Association of History Teachers was permanently organized as an auxiliary of the Mississippi Historical Society on May 1, 1908. This organization was first proposed at the decennial celebration of the Mississippi Historical Society last January. The Historical Society will print and distribute the papers of the Association of History Teachers as a new series of publications. The first issue of the new series will be distributed at an early date.

The Howard Memorial Library has published, in a small number of copies, a little pamphlet of *Notes Gathered from the Archives of the Cathedral Church of St. Louis, New Orleans, Louisiana*, by Rev. Celestin M. Chambon, curate of the cathedral.

The steps taken by the Ohio Valley Historical Conference last November, as mentioned in these pages of the REVIEW in April, have resulted in the organization of the Ohio Valley Historical Association. Mr. E. O. Randall is president and G. L. Martzoff is corresponding secretary. The next annual meeting of the association will be held during the Thanksgiving season of 1908, the place not yet determined.

*The Revolution on the Upper Ohio, 1775-1777*, is a compilation from the Draper manuscripts, edited by Dr. R. G. Thwaites and Miss Louise Phelps Kellogg. It is understood that a second volume of materials from the Draper collection, relating to the Revolution in this region, is projected.

The September-October number of the *University of Cincinnati Studies* is a monograph of 82 pages on "The Scioto Speculation and the French Settlement at Gallipolis", by Theodore Thomas Belote. The study is based mainly on the Gallipolis papers in the possession of the Historical and Philosophical Society of Ohio.

Among the "Selections from the Papers of Governor Allen Trimble" printed in the April number of *The "Old Northwest" Genealogical Quarterly* are letters from Henry Dana Ward, Hiram Ketchum, Luke Tiernan and others, 1831 and 1832, concerning presidential politics, particularly Clay and the Anti-Masonic movement. Of especial interest is a letter from Allen Trimble to Thomas Corwin, April 28, 1840.

Professor Edwin Erle Sparks has edited, and published through the Torch Press of Cedar Rapids, Iowa, reprints of three rare tracts on the Illinois country, namely, the letters of Birkbeck and Flower concerning the English colony at Albion, Illinois.

The superintendent of public instruction of Illinois has issued a "Circular of Suggestions for School Celebrations" of the semi-centennial of the Lincoln-Douglas debates. The circular has been prepared by a committee connected with the Illinois State Historical Library and contains, among other things, excerpts from various writings concerning Lincoln, Douglas, and the debates, and also several of the campaign songs of the time.

In the *Register* of the Kentucky State Historical Society for May appears the fourth chapter of L. F. Johnson's sketches of early settlements on the south side of the Kentucky River, bearing the general title "Franklin County", to which is added a supplemental chapter by G. C. Downing.

It is encouraging to note that a movement is on foot in Tennessee for the better care and preservation of the state archives and other historical material. The Tennessee Historical Society recently presented to the general assembly of the state an earnest memorial asking for the

creation of a state department of archives and history similar to that established in Alabama, and for the erection of a suitable archives repository. The society offers to turn over its collections to the state to hold in trust and perpetual deposit as soon as the state shall make proper provision for their care and preservation. The society's valuable collections of manuscripts and antiquities are in very unsuitable quarters; the state archives, though some improvement in the care of them has lately taken place, are still in a lamentable condition, and it is to be hoped that the legislature may be induced to take some effective measures for bringing the state into the line of progress in historical matters which many of the Southern States have already adopted.

The *Proceedings* of the State Historical Society of Wisconsin for the year 1907 contains the usual reports setting forth the activities of the society during the year, including descriptions of manuscript and other accessions to the library, and reports from the various local historical societies throughout the state. The most important body of manuscripts received by the society during the year is the papers of the late Henry S. Baird, comprising letters, account-books and miscellaneous documents dating as early as 1819. The papers printed in this volume of the *Proceedings* have, for the most part, been noted as separates in previous issues of the REVIEW. The society has reprinted volume V. of its *Collections* (for the years 1867, 1868 and 1869), which has become somewhat rare. It has lately been trying the experiment of sending out lecturers to its several local auxiliary societies to stir up popular interest in Western history. The state society pays the lecturers, when they are not already on the society's staff, but the local society meets travelling and hall expenses. The trial this spring has been sufficiently successful to warrant the experiment on a larger scale next winter. The society has issued as Bulletin No. 42 a checklist of publications of the society extending from 1850 to 1908, with an index. No. 43 is devoted to local public museums in Wisconsin.

*The Financial History of Wisconsin*, by R. V. Phelan (University of Wisconsin Bulletin No. 193, pp. 475), is a valuable addition to our literature of state economics. Among the prominent features of Wisconsin's financial history emphasized by the author are: the provisions of the constitution with regard to the state debt, the sale of public lands and the management (or mismanagement) of the funds arising from their sale, the great development of corporation taxes, and tendencies toward centralization in the assessment and levy of local taxes.

In the April issue of the *Iowa Journal of History and Politics* Mr. Louis Pelzer continues his interesting study of "The History and Principles of the Democratic Party of Iowa". The present paper deals with the period 1846-1857, the period of the first constitution. The *Journal* in this issue contains an autobiographical sketch of John Chambers, second governor of the territory of Iowa.

The article of chief interest in the April number of the *Annals of*

*Iowa* is a paper on William Pitt Fessenden, by William Salter. The *Annals* prints also a report by Colonel Samuel R. Curtis on operations of Iowa troops in Missouri in June, 1861.

"Amana: the Community of True Inspiration" is the title of a four hundred page book which will soon be issued by the State Historical Society of Iowa. The book deals with the history of the community in Europe and America.

The January number of the *Missouri Historical Society Collections* contains a first installment of a journal kept by Stephen Watts Kearney, of an expedition made in 1820 from "Camp Missouri", near the present city of Omaha, to "Camp Coldwater", near the present cities of St. Paul and Minneapolis. The journal is edited by V. Mott Porter. In the same issue is printed, with extensive annotations, a letter of instructions from Baron Carondelet to Don Carlos Howard, pertaining mainly to the fortification of St. Louis.

*The Missouri Historical Review*, published by the State Historical Society of Missouri, in its issues for April, July and October, 1907, contained copies of documents on file in the office of the secretary of state relating to troubles along the Kansas border during the years 1858, 1859 and 1860, popularly known as the Border Warfare. The principal articles in the April (1908) issue of that periodical are: "The Conquest of St. Joseph, Michigan, by the Spaniards in 1781", by Clarence W. Alvord; and "Rufus King and the Missouri Compromise", by H. C. Hockett.

An addition to the Carnegie Library building in Oklahoma City is being constructed, at a cost of some \$25,000, expressly for the use of the Oklahoma Historical Society. The legislature of the state has recently made an appropriation to sustain the work of the society.

*The Labor History of the Cripple Creek District: a Study in Industrial Evolution*, by Benjamin McKie Rastall (Bulletin of the University of Wisconsin No. 198, pp. 166), is a somewhat detailed account of the strikes of 1894 and 1903-1904 from first-hand investigations by the author.

By proclamation of the President (April 16) under the authority of section 2 of an Act for the Preservation of American Antiquities, approved June 8, 1906, the following have been established as national monuments: Chaco Canyon, New Mexico (extensive prehistoric ruins); Gila Cliff Dwellings, New Mexico; Montezuma Castle, Arizona; Tonto, Arizona (ruins of cliff dwellings).

Bulletin 35 of the Bureau of American Ethnology is *Antiquities of the Upper Gila and Salt River Valley in Arizona and New Mexico*, by Walter Hough. One hundred and seventy-four different ruins are enumerated, many of them described in some detail and an effort made to reconstruct in outline the culture of the inhabitants, who are supposed to have become extinct before the time of Coronado's expedition.

*The Nez Percés since Lewis and Clark*, by Kate C. McBeth, is from the press of F. H. Revell Company.

The board of directors of the Oregon Historical Society at its March meeting adopted the initial numbers of a series of leaflets on different phases of Oregon history to be supplied to the pupils of the common schools of the state. The first number will give a sketch of prehistoric Oregon, prepared by Mrs. Ellen Condon McCornack.

The paper of chief importance in the March issue of the *Quarterly* of the Oregon Historical Society is "Political Beginnings in Oregon", by Marie M. Bradley. The period treated is that of the provisional government, 1839-1849. There is also in this issue a good sketch, by W. D. Fenton, of Edward Dickinson Baker, soldier in the Mexican War, member of Congress from Illinois, and for a few months before his death, in 1861, senator from Oregon.

We have received the first number (February) of *Enciclopedia Filipina*, a monthly publication devoted to "política, administración, legislación comparada, historia, economía, legislación financiera, sociología". The editor is Felipe G. Calderon. The articles possessing historical interest are: "El Comercio Filipino bajo la Administración Española", by Chester Lloyd Jones of the University of Pennsylvania; "El Cargo de Juez de Paz", by C. S. Lobingier; and "Los últimos Dias del Régimen Español en Filipinos", by Felipe G. Calderon.

The Bureau of Insular Affairs in the War Department is preparing for publication the papers and correspondence of Emilio Aguinaldo, to be published in several volumes.

The twelfth volume of the *Review of Historical Publications relating to Canada*, edited by Professor George M. Wrong and Mr. H. H. Langton, has appeared (Toronto, Morang and Company). The extent of the past year's historical output relating to Canada may be judged by the fact that in this volume of 212 pages there are more than one hundred and seventy-five reviews.

A revised, enlarged and illustrated edition of Mr. Henry Kirk's *First English Conquest of Canada; with some Account of the Earliest Settlements in Nova Scotia and Newfoundland* will shortly be published in London by Sampson Low.

*Sir John A. Macdonald*, by George R. Parkin (Toronto, Morang and Company, *The Makers of Canada* series) has now come from the press.

A work that should prove to be of much interest is Mr. H. A. Cody's *An Apostle of the North: the Life and Memoirs of William Carpenter Bompas*, just published in this country by Messrs. Dutton. Bishop Bompas was the first bishop of Athabasca, 1874-1884, bishop of Mackenzie River, 1884-1891, and first bishop of Selkirk (Yukon), 1891-1906, and carried on his work in a country almost entirely shut out from communication with the rest of the world. An introduction is furnished by the archbishop of Rupert's Land.

*La Colombie Britannique: Étude sur la Colonisation au Canada*, by Albert Métin, has been brought out in Paris by Colin.

"The Possibilities of South American History and Politics" as a



Field for Research", a paper read by Dr. Hiram Bingham before the American Political Science Association at its annual meeting in December, is printed in the February issue of the *Bulletin of the International Bureau of American Republics*. The paper is especially useful for its account of the manuscript and printed sources for South American history to be found in the libraries of the United States.

G. P. Putnam's Sons have published a volume by Professor Bernard Moses entitled: *South America on the Eve of Emancipation; the Southern Spanish Colonies in the Last Half-Century of their Dependence*.

Noteworthy articles in periodicals: George Louis Beer, *The Early English Colonial Movement*, I. (Political Science Quarterly, March); B. C. Steiner, *The Maryland Charter and the Early Explorations of that Province* (Sewanee Review, April); Horace Kephart, *Pennsylvania's Part in the Winning of the West* (Pennsylvania German, May); William H. Loyd, Jr., *The Courts of Pennsylvania in the Eighteenth Century Prior to the Revolution* (University of Pennsylvania Law Review, January); *The Courts from the Revolution to the Revision of the Civil Code* (ibid., February); Max Farrand, *The West and the Principles of the Revolution* (Yale Review, May); A. W. Savary, *The Narrative of Colonel Fanning*, concl. (Canadian Magazine, March, April); Frederick T. Hill, *Wall Street during the Revolution* (Harper's Magazine, June); Walter L. Fleming, *Jefferson Davis at West Point* (Metropolitan Magazine, June); John C. Hildt, *John Randolph's Mission to Russia* (South Atlantic Quarterly, April); Robert W. Neeser, *The Navy's Part in the Acquisition of California* (United States Naval Institute Proceedings, March); Jesse W. Weik, *Lincoln's Vote for Vice-President in the Philadelphia Convention of 1856* (Century, June); Carl Schurz, *President Johnson and his War on Congress* (McClure's Magazine, June); George F. Shradly, M.D., *General Grant's Last Days* (Century, May, June); Woodrow Wilson, *The States and the Federal Government* (North American Review, May); E. W. Kemmerer, *The Progress of the Filipino People toward Self-Government* (Political Science Quarterly, March); Jerónimo Becker, *La Independencia de América* (La España Moderna, January, March, April).







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The

# American Historical Review

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